



Regular Session

RS

Milwaukie City Council

- | | Page # |
|--|-----------|
| 1. CALL TO ORDER – 6:00 p.m. | |
| Pledge of Allegiance | |
| 2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS | |
| A. None scheduled. | |
| 3. CONSENT AGENDA | |
| These items are considered routine, and therefore, will not be allotted discussion time on the agenda; these items may be passed by the Council in one blanket motion; any Councilor may remove an item from the “Consent” agenda for discussion by requesting such action prior to consideration of that part of the agenda. | |
| A. Approval of City Council Meeting Minutes: | 2 |
| 1. July 11, 2017, Study Session; | |
| 2. July 18, 2017, Work Session; and | |
| 3. July 18, 2017, Regular Session | |
| B. Vehicle Purchase: Cat914M Wheel Loader – Resolution | 13 |
| C. 42nd Avenue Rehabilitation Project Bid Award – Resolution | 16 |
| D. Design Services Contract for Well 2 – Resolution | 19 |
| E. Oregon Liquor Control Commission (OLCC) Application for Le Tap – | 22 |
| 11301 SE 21st Avenue – New Outlet | |
| 4. AUDIENCE PARTICIPATION | |
| The presiding officer will call for citizen statements regarding City business. Pursuant to Milwaukie Municipal Code (MMC) Section 2.04.140, only issues that are “not on the agenda” may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and submit it to the City Recorder. Pursuant to MMC Section 2.04.360, “all remarks shall be directed to the whole Council, and the presiding officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous.” The presiding officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak. | |
| 5. PUBLIC HEARING | |
| Public Comment will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony. | |
| A. None scheduled. | |
| 6. OTHER BUSINESS | |
| These items will be presented individually by staff or other individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item. | |
| A. Council Goal Update: Climate Action Plan | |
| Staff: Mitch Nieman, Assistant to the City Manager | |
| (Removed from the Agenda on August 11, 2017) | |

6. OTHER BUSINESS (continued)

- | | | |
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| B. | Dissolution of the Riverfront Task Force (RTF) – Resolution | 24 |
| | Staff: Mitch Nieman, Assistant to the City Manager
(Added to the Agenda on August 11, 2017) | |
| C. | Renaming of Riverfront Park to Milwaukie Bay Park | 32 |
| | Staff: Mitch Nieman, Assistant to the City Manager
(Added to the Agenda on August 11, 2017) | |
| D. | Request for Qualifications (RFQ) Selection Process and Disposition Discussion for Coho Point at Kellogg Creek – Resolution | 46 |
| | Staff: Alma Flores, Community Development Director | |
| E. | Citizen Utility Advisory Board (CUAB) Bylaws – Resolution | 62 |
| | Staff: Charles Eaton, Engineering Director | |
| F. | Council Input on Legislative, Regional, and County Issues – Resolution | 73 |
| | Presenter: Mark Gamba, Mayor | |
| G. | Council Reports | |

7. INFORMATION

8. ADJOURNMENT

Americans with Disabilities Act (ADA) Notice

The City of Milwaukie is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). Milwaukie City Hall is wheelchair accessible and equipped with Assisted Listening Devices; if you require any service that furthers inclusivity please contact the Office of the City Recorder at least 48 hours prior to the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502 or 503-786-7555. Most Council meetings are streamed live on the City's website and cable-cast on Comcast Channel 30 within Milwaukie City Limits.

Executive Sessions

The City Council may meet in Executive Session pursuant to ORS 192.660(2); all discussions are confidential and may not be disclosed; news media representatives may attend but may not disclose any information discussed. Executive Sessions may not be held for the purpose of taking final actions or making final decisions and are closed to the public.

Meeting Information

Times listed for each Agenda Item are approximate; actual times for each item may vary. Council may not take formal action in Study or Work Sessions. Please silence mobile devices during the meeting.

 CITY OF MILWAUKIE
COUNCIL REGULAR SESSION

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

2252nd Meeting

MINUTES

AUGUST 15, 2017

Mayor Mark Gamba called the Council meeting to order at 6:00 p.m.

Present: Council President Lisa Batey; Councilors Angel Falconer, Wilda Parks, Shane Abma

Staff: City Manager Ann Ober	Community Development Director Alma Flores
City Attorney Dan Olsen	Development Manager Leila Aman
Assistant to the City Manager Mitch Nieman	Engineering Director Charles Eaton
Administrative Specialist II Amy Aschenbrenner	Assistant City Engineer Jennifer Garbely

1. CALL TO ORDER

Pledge of Allegiance.

2. PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. None Scheduled.

3. CONSENT AGENDA

It was moved by Council President Batey and seconded by Councilor Falconer to approve the consent agenda.

A. City Council Meeting Minutes:

1. July 11, 2017, Study Session;
2. July 18, 2017, Work Session; and
3. July 18, 2017, Regular Session.

B. Resolution 76-2017: A Resolution of the City Council of the City of Milwaukie, Oregon, purchasing a replacement CAT914M Wheel Loader.

C. Resolution 77-2017: A Resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving the award of a contract for the construction of the 42nd Avenue Street Reconstruction Project to Brown Contracting, Inc.

D. Resolution 78-2017: A Resolution of the City Council of the City of Milwaukie, Oregon, authorizing the City Manager to approve a professional services contract with Tetra Tech in an amount not to exceed \$198,213 for professional services related to the relocation and construction of Well #2.

E. An Oregon Liquor Control Commission (OLCC) Application for Le Tap, 11301 SE 21st Avenue – New Outlet

Motion passed with the following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting “aye.” [5:0]

4. AUDIENCE PARTICIPATION

Mayor Gamba reviewed the Audience Participation procedures and **Ms. Ober** reported that there was no follow-up report from the August 1, 2017, Audience Participation.

Rick Henden, RiversWest Small Craft Center representative, described the mission of RiversWest. He explained that the non-profit had started a capital campaign to build a boat building museum facility in the Portland area. **Council President Batey** and **Mr. Henden** noted that RiversWest was not affiliated with the boat school located in the North Milwaukie Industrial Area (NMIA). **Councilor Abma** and **Mr. Henden** noted that RiversWest was currently located on the Multnomah Channel.

5. PUBLIC HEARING

A. None Scheduled.

6. OTHER BUSINESS

Mayor Gamba announced that Agenda Item 6. E. would be moved up the agenda.

E. Citizen Utility Advisory Board (CUAB) Bylaws – Resolution (moved up agenda)
Mr. Eaton introduced Ms. Garbely, the City's new Assistant City Engineer, and discussed the CUAB's request for Council to adopt the CUAB's original revised version of the CUAB bylaws that had been presented at the May 9, 2017, Work Session. He reported that the CUAB had declined the bylaw changes proposed by Council.

The group discussed the CUAB's proposed language changes and the City's general administrative practices regarding meeting dates and noticing requirements. Council President Batey and Councilor Parks expressed support for approving the Bylaws that had been proposed by the CUAB.

Councilor Abma commented on the importance of providing notice for public meetings. The group discussed when meeting packets should be posted and it was the group consensus that CUAB packets should be posted 5 days before a meeting.

It was moved by Councilor Abma and seconded by Councilor Parks to approve the Resolution accepting the Citizen Utility Advisory Board Bylaws amending the Bylaws (Exhibit A) Article 3, Number 4, to change 7 days to 5 days. Motion passed with following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting "aye." [5:0]

Resolution 81-2017:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACCEPTING THE CITIZEN UTILITY ADVISORY BOARD BYLAWS.

~~A. Council Goal Update Climate Action Plan (removed from the agenda)~~

B. Dissolution of the Riverfront Task Force (RTF) – Resolution

Ms. Ober reviewed the history of the RTF and reported that the task force had voted to go on hiatus in 2016. She explained that the Park and Recreation Board (PARB) had taken over the effort to complete Riverfront Park and that staff had prepared a resolution dissolving the RTF. She thanked Gary Klein, the RTF's last member, for his service and remarked on his involvement in the Park's development going forward.

Council expressed appreciation for the years of work done by the RTF.

It was moved by Council President Batey and seconded by Councilor Falconer to approve the Resolution dissolving the Riverfront Task Force. Motion passed with the following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting "aye." [5:0]

Resolution 79-2017:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DISSOLVING THE RIVERFRONT TASK FORCE.

C. Renaming of Riverfront Park to Milwaukie Bay Park

Ms. Ober reviewed the renaming process and noted the historical use of the Milwaukie Bay name. She reported that the neighborhood district associations (NDAs) near the Park and the PARB supported the name change.

It was moved by Councilor Parks and seconded by Councilor Abma to adopt Milwaukie Bay Park as the new name for Milwaukie Riverfront Park. Motion passed with the following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting "aye." [5:0]

The group noted that many individuals and community groups had long advocated for changing Riverfront Park to Milwaukie Bay Park.

D. Request for Qualifications (RFQ) Selection Process and Disposition Discussion for Coho Point at Kellogg Creek – Resolution

Ms. Flores introduced Ms. Aman, the City's new Development Manager, and explained the action Council was asked to consider related to the development of the Coho Point site. She noted the members of the RFQ Selection Advisory Group (SAG) that were present, including Catherine Grubowski-Johnson, Clackamas County Economic Development Manager; Patrick McLaughlin, Senior Development Project Manager with Metro; and Jerry Johnson, Principal with Johnson Economics. She also noted that Dr. Farid Bolouri and Angela Creais, both with Black Rock LLC, were present. She reviewed the RFQ selection process and the required proposal criteria. She reported that nine proposals had been submitted, four had been interviewed, and that the SAG unanimously recommended that the City enter an exclusive negotiating agreement (ENA) with Black Rock. She discussed elements of the Black Rock proposal that had stood out.

Ms. Aman discussed the significance of entering an ENA and outlined the ENA process and outcomes. **Ms. Ober** and **Ms. Aman** commented on the importance of public input and the timing of Council decisions in the process.

Councilor Abma and **Ms. Aman** noted that if the City and Black Rock did not come to terms during the ENA period the City could walk away from the deal. **Councilor Abma** asked what the City could lose if no agreement was made and **Mr. Olsen** suggested that the City would mostly lose staff resources and Council time.

Councilor Abma and **Ms. Flores** noted that Black Rock was the only group that brought a third-party expert to the interview to discuss site constraints.

Mayor Gamba discussed the process language that had been included in the Coho Point RFQ documents and asked why the top three proposals had not gone through a request for proposals (RFP) process. **Ms. Aman** summarized the City's options, reviewed costs of an RFP process, and noted that an RFP process would extend the project timeline. She pointed out that the SAG's recommendation had been unanimous and that public outreach could be a requirement of the agreement with Black Rock.

The group discussed the Coho Point RFQ and RFP process options and related public expectations regarding the process and community involvement in selecting proposals.

Mayor Gamba commented on the Black Rock group, the Coho Point RFQ process, and the proposals submitted by other development groups.

Councilor Falconer asked Dr. Bolouri to address concerns about Black Rock's profits. **Dr. Bolouri** explained that he owns Black Rock and that Black Rock is an umbrella company for other real estate assets he owns.

Council President Batey disclosed that she was a patient of Dr. Bolouri and that she had not seen him since the RFQ process had started.

Councilor Abma commented on the high quality of the proposals submitted through the RFQ process and encouraged the development teams that had not been selected to submit proposals in future RFQ processes. He expressed support for entering an ENA with Black Rock and noted that the City had the right to move in a different direction if negotiations with Black Rock did not work out.

Councilor Parks agreed with Councilor Abma's remarks. She expressed support for including students in the project and noted the importance of public outreach.

Council President Batey remarked on the quality of the other proposals submitted and expressed support for moving forward with Black Rock.

Councilor Falconer concurred with her Council colleagues' comments and suggested that the Coho Point RFQ process language be refined for future processes. **Councilor Parks** agreed that the RFQ process language should be refined.

Mayor Gamba discussed the City's limited ability to influence development in Milwaukie and remarked that he looked forward to creating a building with Black Rock.

It was moved by Councilor Parks and seconded by Council President Batey to the Resolution authorizing the City Manager to enter into an exclusive negotiating agreement with Black Rock, LLC for the Coho Point at Kellogg Creek property. Motion passed with the following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting "aye." [5:0]

Resolution 80-2017:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT WITH BLACK ROCK, LLC FOR THE COHO POINT AT KELLOGG CREEK PROPERTY.

F. Council Input on Legislative, Regional, and County Issues – Resolution

Mayor Gamba reported that based on Council comments at the August 15, 2017, Work Session, the proposed healthcare resolution would be revised and brought for consideration at a future meeting.

G. Council Reports

Mayor Gamba announced the upcoming Solarize Milwaukie campaign kick-off event. The group noted upcoming events including the Community Clean-Up event, a Library Construction Task Force (LCTF) meeting, the August First Friday event and the Little by Little art show, and a Johnson Creek Watershed Clean-Up day.

Ms. Ober and Mayor Gamba noted the types of food waste now accepted for curbside pick-up.

The group expressed their appreciation for the work of former Assistant to the City Manager Mitch Nieman.

7. INFORMATION

8. ADJOURNMENT

It was moved by Councilor Abma and seconded by Councilor Falconer to adjourn the Regular Session. Motion passed with the following vote: Councilors Falconer, Batey, Parks, and Abma and Mayor Gamba voting "aye." [5:0]

Mayor Gamba moved to adjourn the regular session at 7:26 p.m.

Respectfully submitted,



Scott S. Stauffer, City Recorder

Stauffer, Scott

From: William Portus <williamportus@gmail.com>
Sent: Tuesday, August 15, 2017 6:41 PM
To: Stauffer, Scott
Subject: Citizen Statement to city council 8/15 RE. Public safety at intersection of Linwood Ave. and Monroe St.

Hello. My name is William Portus. I reside at 14311 SE Cedar Ave., Milwaukie OR 97222.

I'd like to make a citizen statement to council. Apologies for not being able to attend today.

A recent bicyclist and automobile accident (with injury) at this intersection has reminded the surrounding community that the unsafe conditions at this intersection are not a new problem. For years neighbors have been trying get the city to do something to address this public safety issue. Does someone have to die before this problem is addressed?

We don't have the luxury of awaiting funding for the Monroe St. Project, though I applaud the idea and eagerly await its start. For now, - a couple of stop signs are an easy and cheap(er) solution.

Fresh painted crosswalk?

I hear this evening that Milwaukie Police have been keeping a watchful eye on the intersection. I appreciate those efforts but a lasting and long term solution is needed.

Please review this most recent local news coverage for your reference:

<http://www.kptv.com/story/36112913/milwaukie-residents-fed-up-with-dangerous-intersection>

Thank you.



MILWAUKIE CITY COUNCIL
Office of the City Recorder

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Registration

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speakers Registration card, once submitted to the City Recorder, becomes part of the public record.

Name: RIZK HENDON

Organization: _____

Address: 4298 WOODSIDE CIRCLE

Phone: 503 887-4305

Email: gonetothejopline@msn.com

Meeting Date: _____

Topic: RIVERSIDE

Agenda Item You Wish to Speak to:

- ☐ #4 Audience Participation
- ☐ #5 Public Hearing, Topic:
- ☐ #6 Other Business, Topic:

You are Speaking...

- ☐ in Support
- ☐ in Opposition
- ☐ from a Neutral Position
- ☐ to ask a Question

Comments:

501 c3

wood boats living museum

RiversWest Small Craft Center, Inc.
Construction and Use of Low-Impact Boats



P.O. Box 19234 Portland, OR 97280
Visit our website www.riverswest.org

RiversWest has enjoyed 501(c)(3) non-profit tax exempt status since 1991. In these 26 years we have taught boat-building and wood-working skills to the public, helped our members build boats, and conducted Family Boat Builds in which, under RiversWest tutelage, approximately 100 families have built their own pretty little skiffs in only two days! All that and we have become ever more involved with the maritime communities of the Portland area.

These pleasurable good works have been accomplished at different leased locations and our dedicated and energetic board has determined it is time for RiversWest to have a permanent home and to become an involved and visible partner with regional municipalities, regional governments, parks departments, ports, school systems and private developers.

We have started the process of becoming a living museum, boat livery, boat-building source and a true partner with our community. Please consider us as you develop properties and as you seek partners for development.

The Co-chairs for our 2017 Capital Campaign are Mark Ramsby and Rick Hendon and either of us would be delighted to meet with you and share the RiversWest Vision.

Mark Ramsby m.ramsby@comcast.net (503) 970-7448
Rick Hendon gonetothedogsinc@msn.com (503) 887-4305



**Regular Session
Agenda Item No.**

3

Consent Agenda

 CITY OF MILWAUKIE
COUNCIL STUDY SESSION

City Hall Conference Room
10722 SE Main Street
www.milwaukieoregon.gov

MINUTES

JULY 11, 2017

Mayor Mark Gamba called the Council meeting to order at 5:13 p.m.

Present: Council President Lisa Batey; Councilors Angel Falconer, Wilda Parks, Shane Abma

Staff: City Manager Ann Ober
City Attorney Tim Ramis
City Recorder Scott Stauffer
Planning Director Denny Egner
Community Development Director Alma Flores
Right-of-Way and Contract Coordinator Reba Crocker
Senior Planner David Levitan

Community Development Update

Mr. Egner provided an update on land use and housing applications. He discussed the upcoming Comprehensive Plan update and asked for Council input on the formation of an advisory committee for that process. **Council President Batey** and **Mr. Levitan** commented on the need to encourage business owners to participate in the Comprehensive Plan Advisory Committee (CPAC).

Mayor Gamba discussed the Visioning Advisory Committee (VAC) process and the group discussed inclusion, representation, and liability related to the CPAC.

It was the group consensus that Council wanted an open CPAC selection process that would include an interview phase, with specific groups targeted for inclusion. The group discussed the size and expectations for the CPAC.

Ms. Flores announced that the grand opening of the food cart pod would be held on the First Friday in August 2017. She discussed additional Community Development projects, including an update on City-owned development sites, the relocation of the Milwaukie Farmers Market, the Housing Affordability Working Group (HAWG), upcoming construction projects, and the recruitment of a grocery store. She provided an update on recent building division activity including the number of permits issued and inspections performed. **Ms. Flores** and **Ms. Ober** provided an update on the Anderson Die & Manufacturing fan noise issue and the new sound barriers to be installed.

Construction Excise Tax (CET) Discussion

Ms. Flores and **Mr. Ramis** discussed inclusionary zoning (IZ) in relation to the CET. **Mr. Ramis** believed the IZ was meant to be a standalone discretionary option.

Ms. Flores discussed recent State Legislation that enables cities to enact CETs. She noted differences in CET revenue collection for different types of construction and explained how CET revenue could be allocated. She presented staff recommendations regarding the implementation of CETs on residential and commercial construction and explained how such revenue could be distributed. She noted which CET exemptions were required by the State and which had been recommended by staff.

The group discussed the possibility of including CET program exemptions based on percentages and/or a set number of years. It was noted that staff would research other cities' CET practices and report back to Council.

Mayor Gamba asked whether the City could require property management companies to report rent information. The group discussed the collection of rent data and noted privacy concerns related to such data being collected. They remarked on the City's need for housing information and noted that staff would look into possible data sources.

Ms. Flores and the group discussed accessory dwelling units (ADUs) in relation to the staff recommendation to exempt ADUs from the CET. They commented on when an ADU would and would not be exempt based on the property valuation. **Ms. Flores** provided revenue data on what a CET would have generated if it had been in place in previous years in Milwaukie.

Ms. Flores asked if Council agreed with the program parameters and exemptions proposed by staff. It was Council consensus to establish a CET program with 1% of permit valuation for new and additional residential construction, and 1% on new commercial or industrial development.

Ms. Flores discussed ADU exemptions and **Mayor Gamba** suggested that if an ADU was being rented at 80%, like an apartment, it would be exempt, and if an ADU was rented as Airbnb it would not be exempt. The group discussed Mayor Gamba's suggestion and noted the possibility of requiring property covenants.

Ms. Flores reviewed the staff recommended exemptions and asked if Council wanted to include other exemptions.

The group discussed exempting affordable for-sale housing. It was Council consensus that affordable for-sale housing at or below 80% Median Family Income (MFI) and ADUs at or below 80% MFI be exempt from the CET.

The group discussed concerns about home improvement valuations regarding the recommendation that ADUs be exempt from the CET for 5 years. **Ms. Flores** clarified that the recommendation was based on the added square footage. It was Council consensus to follow the staff recommendation to allow a 5-year ADU exemption.

Ms. Flores asked for Council clarification on the proposed commercial exemptions. The group discussed the exemptions and agreed to add "up to" language to the CET program statements regarding commercial tax revenue allocations.

Ms. Flores explained how residential tax revenue could be allocated for programs and incentives to encourage affordable housing. The group discussed how CET revenue could be distributed and how flexible State requirements would be regarding future adjustments of established CET allocation parameters.

Ms. Flores summarized that Council was comfortable adding the "up to" language regarding commercial tax revenue. The group discussed how unused funds from commercial revenue would be distributed.

Councilor Abma asked about administrative costs associated with the CET program and **Ms. Ober** noted staff would do research and get back to Council.

The group noted that Council had no additional exemptions at this time.

Mayor Gamba adjourned the Study Session at 7:09 p.m. and announced that Council would convene in Executive Session pursuant to Oregon Revised Statute (ORS) 192.660(2)(e) to deliberate with persons designated by the governing body to negotiate real property transactions

Respectfully submitted,

Amy Aschenbrenner, Administrative Specialist II



CITY OF MILWAUKIE
COUNCIL WORK SESSION

City Hall Conference Room
10722 SE Main Street
www.milwaukieoregon.gov

MINUTES

JULY 18, 2017

Council President Lisa Batey called the Council meeting to order at 4:00 p.m.

Present: Councilors Angel Falconer, Wilda Parks

Excused: Mayor Mark Gamba, Councilor Shane Abma

Staff: City Manager Ann Ober
City Recorder Scott Stauffer
City Attorney Tim Ramis

Finance Director Haley Fish
Library Director Katie Newell

The group noted the absence of Mayor Gamba and Councilor Abma and that the Community Development memo was available in the Council Packet.

Library Board Annual Update

Ms. Newell introduced Jason Price, Library Board Chair. The group talked about changes to the Library Board bylaws and agreed on changes to board member residency requirements.

Mr. Price discussed radio frequency identification (RFID) technology that the Library would be implementing in July 2017. **Ms. Newell** explained that RFID technology had been used in many libraries.

Ms. Newell discussed library program attendance, support from the Friends of the Ledding Library (FOLL), and library volunteers. **Mr. Price** reviewed the Library's new Seed Swap, gardening, and other programs. **Ms. Newell** provided Ledding Library statistics, including circulation, volunteers, programs, and more.

Library Construction Project Update

Ms. Fish introduced Amy Winterowd, Principal at Plan B Consultancy. She noted that the City had recently hired Plan B Consultancy to serve as project managers for the Library Construction project.

Ms. Winterowd discussed the library project and the work her team has done so far. She discussed the state of the library, including seismic and code compliance concerns.

The group discussed the option to relocate the library or keep the library on site during construction. **Ms. Fish** and **Ms. Winterowd** explained that the recommendation from staff and the Library Construction Task Force (LCTF) was to move the library to a temporary location during construction. The group noted that a temporary location had yet to be found and discussed possible sites.

Council President Batey summarized that it was the consensus of the Council members present to temporarily relocate the library during construction.

Ms. Winterowd reviewed next steps and suggested the new library would be open by Summer 2019.

Council President Batey adjourned the Work Session at 4:48 p.m.

Respectfully submitted,

Amy Aschenbrenner, Administrative Specialist II

Council President Lisa Batey called the Council meeting to order at 5:58 p.m.

Present: Councilors Angel Falconer, Wilda Parks, Shane Abma

Excused: Mayor Mark Gamba

Staff:	City Manager Ann Ober	Community Development Director Alma Flores
	City Recorder Scott Stauffer	Engineering Director Charles Eaton
	City Attorney Tim Ramis	Planning Director Denny Egner
	Police Chief Steve Bartol	Associate Planner Vera Kolias
	Assistant to the City Manager Mitch Nieman	Economic Resource Coordinator Amy Koski

1. CALL TO ORDER

Pledge of Allegiance.

Council President Batey announced that Mayor Gamba had been excused from the meeting and noted that Agenda Item 6. B. would be heard before Agenda Item 6. A.

2. PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. Police Meritorious Service Award [removed from agenda]

3. CONSENT AGENDA

It was moved by Councilor Parks and seconded by Councilor Falconer to approve the consent agenda.

A. City Council Meeting Minutes:

1. June 13, 2017, Study Session;
2. June 20, 2017, Work Session; and
3. June 20, 2017, Regular Session.

B. Resolution 70-2017: A Resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, authorizing the City Manager to execute a contract for engineering services for the Washington Street Storm Replacement Project.

Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting “aye.” [4:0]

4. AUDIENCE PARTICIPATION

Council President Batey reviewed the Audience Participation procedures. **Ms. Ober** noted that Chief Bartol and Mr. Stauffer would provide the staff response to comments received at the July 5, 2017, Audience Participation.

Chief Bartol noted corrections to his July 5, 2017, Audience Participation comments regarding the Milwaukie Police Department (MPD) and the media. He explained that a review of the MPD’s business practices had determined that it was not cost-effective to provide a public copy of the desk log. He reported that the MPD had been providing incident lists to the media and that the public and media could submit a records request and pay a fee to obtain specific incident reports. He noted that he had apologized to the editor of the *Clackamas Review* for his previous statements and that the MPD would work to improve its information release processes.

Mr. Stauffer demonstrated where records could be accessed on the City’s website and provided an overview of the City’s records request process. He discussed the City’s compliance with State Law and records management best practices.

Noreen Telisman, Milwaukie Lions Club, asked that the City consider installing Lions Club signs on existing “Welcome to Milwaukie” signs. **Council President Batey** and **Ms. Telisman** briefly remarked on the size, style, and content of the Lions Club signs. It was noted that staff would follow-up on Ms. Telisman’s request.

5. PUBLIC HEARING

Council President Batey noted that Council would hear Agenda Item 6. B. before 6. A.

B. Keil Gardens Zoning and Comprehensive Plan Amendments – Ordinance

Opening: **Council President Batey** called the hearing to order at 6:19 p.m. She noted the Planning Commission’s consideration of the proposed development.

Purpose and Procedure: **Council President Batey** announced that the purpose of the hearing was to consider the Planning Commission’s recommendation to approve the proposed Zoning Map and Code amendments. She reviewed the applicable standards and hearing procedure guidelines.

Conflicts of Interest: It was noted that no Council member declared a conflict of interest and no audience member questioned Council’s ability to participate in the hearing.

Staff Presentation: **Ms. Kolias** described the development to be located north of Railroad Avenue at 42nd Avenue. She noted the number of houses to be built, and reported that the Planning Commission had recommended that Council approve the development application.

Council President Batey and **Ms. Kolias** noted that the development would have two numbered streets going in different directions.

Ms. Kolias reviewed the development application approval process and the proposed zoning changes. She noted that the Hector Campbell Neighborhood District Association (NDA) was supportive of the development and discussed the approval criteria and key zoning issues for Council to consider. She reported that staff recommended Council approve the requested rezoning and permit construction of the proposed subdivision. She confirmed that the applicant was present and planned to address Council.

Correspondence: Staff reported that no additional correspondence had been received.

Applicant: Mark Dane, Mark Dane Planning, briefly remarked on the plans for the Keil Gardens development and noted that the neighborhood supported the project.

Councilor Parks and **Mr. Dane** remarked that the size of the homes to be built in the development would be based on market assessments.

Council President Batey and **Mr. Dane** discussed the history of the site and the origin of the name Keil Gardens. It was noted that construction would begin in August 2017.

Conduct of Hearing: **Council President Batey** reviewed the conduct procedures.

Testimony in Support of the Proposal: **Dave Aschenbrenner**, Chair of the Hector Campbell NDA, reported that the neighborhood supported the development.

Neutral Testimony and Testimony in Opposition of the Proposal: It was noted that there were no speakers that were neutral or opposed to the development.

Staff Comments: It was noted there was no further remarks from staff.

Questions of Clarification: **Councilor Abma** asked who was responsible for naming the streets in the development. **Ms. Kolias** explained that the City’s Engineering Department would reconcile the names through the final plat process.

It was moved by Councilor Abma and seconded by Councilor Falconer to close the public hearing. Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting “aye.” [4:0]

Council President Batey closed the public hearing at 6:38 p.m.

Discussion: **Councilors Abma and Falconer and Council President Batey** expressed support for the proposed development.

Decision by Council: **It was moved by Councilor Parks and seconded by Councilor Abma to approve the Ordinance to amend the Zoning Map to rezone tax lots 12E31BC, lots 8000, 8100, 8200, and 8300 from Residential R-7 to Residential R-5, remove the Historic Resource Overlay from the property located at 4217 SE Railroad Ave; to amend the Milwaukie Comprehensive Plan Land Use Map to designate tax lots 12E31BC, lots 8000, 8100, 8200, and 8300 as Moderate Density rather than Low Density, and to remove the property located at 4217 SE Railroad Ave from Comprehensive Plan Appendix 1 – Historic Resources Property List (File #ZA-2017-002 and CPA-2017-001). Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting “aye.” [4:0]**

Ms. Ober read the ordinance two times by title only.

Mr. Stauffer polled the Council with Councilors Parks, Abma, and Falconer, and Council President Batey voting “aye.” [4:0]

ORDINANCE 2151:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, TO AMEND THE ZONING MAP TO REZONE TAX LOTS 12E31BC, LOTS 8000, 8100, 8200, AND 8300 FROM RESIDENTIAL R-7 TO RESIDENTIAL R-5, REMOVE THE HISTORIC RESOURCE OVERLAY FROM THE PROPERTY LOCATED AT 4217 SE RAILROAD AVE; TO AMEND THE MILWAUKIE COMPREHENSIVE PLAN LAND USE MAP TO DESIGNATE TAX LOTS 12E31BC, LOTS 8000, 8100, 8200, AND 8300 AS MODERATE DENSITY RATHER THAN LOW DENSITY, AND TO REMOVE THE PROPERTY LOCATED AT 4217 SE RAILROAD AVE FROM COMPREHENSIVE PLAN APPENDIX 1 – HISTORIC RESOURCES PROPERTY LIST (FILE #ZA-2017-002 AND CPA-2017-001).

Council President Batey read the Land Use Board of Appeals (LUBA) information.

A. Adoption of North Milwaukie Industrial Area (NMIA) Framework Plan and Implementation Strategy – Resolution

Opening: **Council President Batey called the hearing to order at 6:45 p.m.**

Purpose, Conflict of Interest and Jurisdiction: **Council President Batey** announced that the purpose of the hearing was to consider a resolution directing staff to prepare plan and code amendments to implement the NMIA Plan. It was noted that no Council member declared a conflict of interest and no audience member questioned Council’s ability to participate in the hearing.

Staff Presentation: **Ms. Koski** introduced Alex Dupey with MIG Consultants.

Mr. Dupey described the location of the NMIA and discussed the proposed adjustments to the zoning established by the Tacoma Station Area Plan (TSAP). He reviewed the NMIA Framework Plan and the project’s goals and objectives. He summarized the needs of the NMIA as identified through the project’s outreach efforts.

Council President Batey and Mr. Dupey noted that the sock company, Sock It to Me, had made upgrades to the building they leased in the NMIA.

Mr. Dupey suggested that internet connectivity and the low commercial vacancy rate in the NMIA presented issues for companies looking to move into the area and for the City as it looked to provide services. He discussed regional changes regarding industrial, commercial, and office space needs, and the feasibility of developing an eco-district framework. He noted benefits and issues related to Johnson Creek. He remarked on building the area’s brand and developing the area’s transportation options.

Council President Batey and **Mr. Dupey** remarked on the need to improve intersection safety along McLoughlin Boulevard and to encourage non-vehicle traffic in the NMIA.

Ms. Koski reviewed and explained the current and proposed zoning in the NMIA.

Council President Batey asked if any development proposals in the NMIA had been denied since adoption of the TSAP. **Ms. Koski** reported that staff had not seen any proposals for the NMIA and that interest had remained focused on using existing buildings. She suggested a need to promote the area with a better branding strategy.

Ms. Koski described the goals of the proposed zoning changes. She reported that previous Council discussions and public comments had suggested that residential zoning should not be allowed in the NMIA. She noted Council would need to decide whether residential zoning would be allowed in the NMIA.

Mr. Dupey discussed future infrastructure needs in the NMIA and explained that an eco-district framework would partly focus on energy use.

The group discussed how elements of the planned McBrod Avenue paving project had taken future infrastructure and eco-district needs into consideration. **Mr. Dupey** suggested the presence of rail lines could be part of the NMIA's branding.

Mr. Dupey presented approaches for incremental implementation of the NMIA Plan. **Councilor Parks** and **Mr. Dupey** noted that it would be possible to incorporate a transportation management association (TMA) into the NMIA structure.

Ms. Koski reported that staff, the NMIA Advisory Group, and the Planning Commission had recommended Council adopt the proposed NMIA Framework with several caveats. She asked for Council feedback on the proposed amendments. The group noted that existing conditional uses would be grandfathered in under any Code changes.

Ms. Koski and **Mr. Egner** reported that the Planning Commission had recommended that marijuana production be a conditional use in the NMIA. They discussed what was currently allowed in the area's zones and what would be permitted in the proposed zoning. The group discussed the changes considered by the Planning Commission and noted the number of marijuana grow sites currently operating in the area.

Ms. Koski reviewed the Planning Commission's recommendations regarding building height and retail space in the proposed NMIA zone. The group discussed the proposed and desired square-footage for retail stores in the area.

Ms. Koski reported that the Planning Commission had recommended that waste management services be a permitted use in the NMIA zone with a 10-year sunset and some caveats. She reviewed the questions for Council to consider, including modified zoning language and addressing development connections with the City of Portland.

The group discussed the planned bicycle pathway and vehicle bridge over Johnson Creek between the cities of Portland and Milwaukie. They noted that there were residential and industrial zones around the bridge site and that the adjacent property owners had concerns about the planned bridge.

Ms. Koski summarized the next steps in the NMIA Plan process through fall 2017.

Council President Batey recessed the Regular Session at 7:46 p.m. and reconvened the Regular Session at 7:54 p.m.

Correspondence: **Ms. Koski** and **Council President Batey** noted that correspondence had been received from Elvis Clark, Michael Schiess, and L. Patrick and Cathy Stinson.

Conduct of Hearing: **Council President Batey** reviewed the hearing guidelines.

Audience Testimony: **Pat Stinson**, Portland resident, noted that his property was adjacent to the site of the proposed bridge over Johnson Creek. He commented on possible alternate routes for a Milwaukie-Portland connection and expressed concerns about increased vehicle and truck traffic and flooding in the area.

Catherine Stauffer, Milwaukie resident, explained that the proposed bridge would encroach on her residential property. She recommended that the area be zoned for lesser density and asked that the proposed bridge be removed from the plan.

Peter Stark, Oregon Worsted Company (OWC) representative, presented letters from consultants hired to look at flooding issues around the Mill End Store. He discussed the flooding potential in the southwest corner of the NMIA and OWC's ability to redevelop the Mill End site given flooding and parking concerns. He reported OWC's interest in pursuing a mixed-use commercial and residential development.

Eric Hovee, ED Hovee and Company, explained that he was an economic development consultant hired by OWC to analyze the economic viability of the Mill End site given the floodplain issues. He commented on the Planning Commission's recommendation to allow residential zoning and suggested that raising a new building on stilts would be the only way to viably redevelop the Mill End site.

Jerry Baysinger, Baysinger Partner Architects, explained that OWC had asked him to look at future development options for the Mill End site. He presented slides containing floodplain information and a proposed redevelopment concept for the site. **Council President Batey**, **Councilor Abma**, and **Mr. Baysinger** discussed how parking, retail space, and the use of stilts were incorporated in the presented redevelopment concept.

Brian Heiberg, Heiberg Garbage and Recycling (HGR), explained that his trucking company had been operating in the NMIA for 20 years and they had recently invested in a natural gas fueling station on their property. He described how HGR operates and expressed frustration that the proposed NMIA zone would not allow his company to exist on their current property. The group noted that HGR would be grandfathered in under any new zoning restrictions and that the Planning Commission had recommended that HGR be allowed to continue to operate. **Mr. Heiberg**, **Councilor Abma**, and **Council President Batey** discussed HGR's hours of operations, traffic patterns, and issues raised at the Planning Commission hearing about late-night noise.

Scott Churchill, Milwaukie resident, remarked on the proposed development concepts and the overall density of the NMIA and expressed support for the zoning overlay recommendations made by the Planning Commission.

Howard Dietrich III, OWC representative, urged Council to adopt the zoning overlay and read a letter from Nancy Bishop Dietrich into the record:

"The Oregon Worsted Company will be 100 years old next year. To continue to exist in Milwaukie we need a Zoning Overlay allowing Mixed Use/Residential.

In 99 years Oregon Worsted Company has employed over 100,000 people most of which have lived in Milwaukie. We have supported many civic events, concerts, parades. We donate office space and helped found The Johnson Creek Corridor Association Watershed Council and Acap.

In 1981 The Oregon Worsted Company became a women owned business. 95% of our employees are women. In 1993, ODOT required us to move The Mill End Store to build the Tacoma Street Overcrossing.

In 1993 The City encouraged us to relocate the Mill End Store to the former Omark Industries Building and gave us an easement on Milwaukie's land for our Storm Water treatment facility. The land is about 3.5 acres and the building is 65,000 sq. ft. The City applauded our remodeling efforts installing revolutionary Daylighting illumination and Storm Water treatment systems.

We are non-conforming Use without Grandfather rights to rebuild because we are in the Willamette River Flood zone. In 1996, our property had 46 inches of water covering the site.

In 2016 we promoted the cities' rezoning effort that is before the commission now. It was our understanding that the plan was to help the current land owners and their

businesses. We have our neighbors support and the support of the Downtown Business Association.

Our building is 63 years old, and might not survive another flood. We hired an economist and Flood Water Specialist and found that we could not re-build the Mill End Store under the proposed re-zoning and flood plain rules. Our economist indicates our redevelopment plan has to include a Residential component to justify the need to elevate the Building.

Because our property is completely in the Flood Plain, we ask that the Commission put a Zoning Overlay on this site allowing mixed use/Residential uses so we can rebuild.”

Staff Comments: **Ms. Koski** noted that the proposed NMIA zone would increase the allowed building height in the area. **Mr. Egner** and **Mr. Koski** commented on the proposed building height as presented in the Mill End site redevelopment concept and noted other ways the site’s flooding issues could be addressed.

Ms. Koski and **Council President Batey** discussed the funding gap for multi-story mixed-use office buildings identified in an EcoNorthwest study of areas like the NMIA, and they remarked on the regional demand for office space.

Ms. Koski commented on Mr. Heiberg’s concerns about HGR’s conditional use status under the proposed NMIA zone and suggested that staff would be agreeable to whichever direction Council wished to take regarding HGR’s status. **Mr. Egner** remarked on previous and current NMIA zoning regarding fleet and hauling operations. The group discussed HGR’s status as a hauling company operating in the NMIA and what actions Council could take to permit HGR’s continued operations in the area.

Mr. Egner noted that staff was asking for Council direction to begin the process of preparing amendments to the Milwaukie Municipal Code (MMC).

Questions of Clarification: **Councilor Abma** and **Ms. Koski** noted the NMIA advisory and technical groups had included 35 people.

Councilor Abma and **Mr. Egner** noted that residential use was not currently allowed in the southwest corner of the NMIA.

Councilor Falconer and **Ms. Koski** noted that the NMIA Advisory Group had included NDA representatives and that around 100 people had responded to the public survey.

Councilor Abma and **Ms. Koski** noted that the City had only heard from the OWC regarding the proposed zoning changes; no other property owners in the floodplain section of the NMIA had responded. The group discussed the existing buildings in the southwest corner of the NMIA and remarked on the compatibility of that area with residential uses. It was noted that the Planning Commission had recommended allowing residential use in the entire southwest corner of the NMIA.

Ms. Koski noted which individuals mentioned during the Audience Testimony as being in support of allowing residential use in the NMIA zone had been a member of the Advisory Group.

It was moved by Councilor Parks and seconded by Councilor Falconer to close the public hearing. Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting “aye.” [4:0]

Council President Batey closed the public hearing at 8:44 p.m.

Council Discussion: The group discussed the status of marijuana grow facilities in the City’s industrial areas. It was the consensus of the Council members present to allow marijuana grow facilities as a conditional use in the NMIA.

Council President Batey reviewed the question for Council to consider regarding building height flexibility. The group discussed the feasibility of offering additional building height to encourage development and maker space or office space. It was

noted that Council would have opportunities in the future to consider specific height limits. **Council President Batey** summarized that Council would be open to considering higher building height limits.

The group expressed support for allowing HGR to continue to operate in the NMIA while not encouraging similar companies to move into the area. It was the consensus of the Council members present that existing businesses should be supported.

The group discussed the planned vehicle and pedestrian bridge over Johnson Creek to Portland. They noted the importance of increasing connectivity to Portland and expressed empathy for the concerns expressed by the residents and businesses near the planned bridge site. They commented that the bridge was not likely to be built soon. It was the consensus of the Council members present that the NMIA Plan should be less specific about details regarding the planned bridge.

Council President Batey recalled previous Planning Commission hearings regarding the amount of retail space to be allowed in the NMIA. **Councilor Falconer** expressed concern about allowing large retail developments into the area. The group discussed the impact of large retail developments in the NMIA on the City's other commercial areas. It was the consensus of the Council members present to agree with the staff recommendation of limiting commercial use in the NMIA to 20,000 square-feet.

The group discussed Planning Commission's recommendation to allow residential use in the southwest section of the NMIA. They noted that the proposed zoning overlay that would allow residential use would cover all properties in the southwest section and that only one property owner had asked for the overlay. **Councilor Parks** and **Councilor Falconer** noted the importance of protecting the City's existing commercial and industrial areas. **Council President Batey** observed that the southwest section of the NMIA could make a good office park and that there were noise and odor issues in the area that could make residential use less attractive. The group noted the importance of not hindering commercial development in Downtown and Central Milwaukie by changing allowed uses in the NMIA. **Councilor Abma** suggested that most of the Advisory Group members had not been in support of allowing residential use. The group commented on the public support for preserving the City's industrial space. It was the consensus of the Council members present to not allow the zoning overlay that would permit residential use in the southwest section of the NMIA.

Decision by Council: **It was moved by Councilor Abma and seconded by Councilor Parks to approve the Resolution directing preparation of plan and code amendments to implement the North Milwaukie Industrial Area Framework Plan and Implementation Strategy including those amendments as further clarified at July 18, 2017, Council meeting. Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting "aye." [4:0]**

Resolution No. 71-2017:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DIRECTING PREPARATION OF PLAN AND CODE AMENDMENTS TO IMPLEMENT THE NORTH MILWAUKIE INDUSTRIAL AREA FRAMEWORK PLAN AND IMPLEMENTATION STRATEGY.

6. OTHER BUSINESS

A. Council Input on Legislative, Regional, and County Issues

Ms. Ober reported that a recent OregonLive.com story had listed Milwaukie as the 13th safest city in Oregon. She thanked the MPD for their work to ensure the City's safety.

Councilor Abma provided a brief update on recent and upcoming meetings regarding waste water services in the North Clackamas County area.

Councilor Parks noted that she would be attending a meeting where the Clackamas Board of County Commissioners (BCC) would convene as the District Advisory Board

(DAB) for the North Clackamas Parks and Recreation District (NCPRD). **Ms. Ober** added that staff would also attend the BCC's DAB meeting.

B. Council Reports

Council President Batey commented on the success of the recent Kellogg Dam removal event and announced an upcoming Metro hazardous waste recycling event. The group noted that the City would be sponsoring a bulky waste curbside pick-up event on August 19, 2017.

Council President Batey noted that the City would be co-sponsoring a Sunday Parkways event in September 2017 and that the Milwaukie Sunday Farmers Market season was going well. The group reported that the Milwaukie Station food cart pod grand opening was scheduled to occur during the August First Friday event.

7. INFORMATION

8. ADJOURNMENT

It was moved by Councilor Parks and seconded by Councilor Abma to adjourn the Regular Session. Motion passed with the following vote: Councilors Parks, Abma, and Falconer, and Council President Batey voting "aye." [4:0]

Mayor Gamba moved to adjourn the regular session at 9:21 p.m.

Respectfully submitted,

Scott S. Stauffer, City Recorder

 CITY OF MILWAUKIE
COUNCIL STAFF REPORT

To: Mayor and City Council

Date: July 27, 2017 for August 15, 2017 RS meeting

Through: Ann Ober, City Manager

Reviewed: Karin Gardner (as to form), Public Works Admin Specialist, Shane Hart, Wastewater and Stormwater Supervisor, Ronelle Sears, Water and Streets Supervisor, and Damien Farwell, Fleet and Facilities Supervisor

From: Peter Passarelli, Public Works Director

Subject: **Vehicle Purchase: Cat 914M Wheel Loader**

ACTION REQUESTED

Authorize the City Manager to approve the purchase of a replacement loader that will be used by the Public Works Department. This is a shared vehicle in the 2017-18 budget.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

June 7, 2016 City Council meeting where the biennial budget for 2017-18 was adopted, including funding to replace the current loader.

ANALYSIS

Loading is a critical and common task in the Public Works Department. The existing 1991 Cat Loader (Asset #6443) has been used almost daily during its life, and is twenty-six years old.

The replacement loader is budgeted 25% in each of the four funds: Streets, Stormwater, Wastewater and Water within the current budget.

The proposed loader is a modern version of the existing one, capable of all tasks the existing loader performs, and features updated, more user-friendly controls. The proposed loader is faster, and has a 'float mode' for the bucket, which results in increased functionality.

BUDGET IMPACTS

The total purchase price is \$110,260.75, which is below the budget of \$120,000. Total expenditure for the loader will be within the loader budget.

Per Public Contracting Rule 15.010, the Cat 914M Wheel Loader will be purchased from Caterpillar, Inc. under NJPA Contract #032515-CAT.

WORKLOAD IMPACTS

By replacing an outdated loader, the City will gain efficiencies with updated controls, 'float mode' and ergonomics. Most importantly, the previous loader is approaching its end of life, and by upgrading now, we both preserve the resale value of the older loader, as well as protect the Fleet shop work load.

COORDINATION, CONCURRENCE, OR DISSENT

Public Works Supervisors as well as Fleet staff provided input during the evaluation process and agreed that the proposed loader was acceptable.

STAFF RECOMMENDATION

Authorize the City Manager to approve the purchase of the Cat 914M Wheel Loader that will be used by the Public Works divisions.

ALTERNATIVES

There are no alternative models that would save money or increase functionality.

The only alternative action would be to postpone the purchase. Postponing is not recommended, as we do not have a backup when the current loader fails, and such a decision would place untold additional labor on the fleet team.

ATTACHMENTS

1. Resolution.



CITY OF MILWAUKIE

COUNCIL **RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
PURCHASING A REPLACEMENT CAT 914M WHEEL LOADER.**

WHEREAS, transporting and loading material is required in the day to day operation of the City's Streets, Water, Stormwater and Wastewater departments; and

WHEREAS, the existing loader is 26 years old, is outdated, and is budgeted in the current budget; and

WHEREAS, staff selected the Cat 914M Wheel Loader as the best replacement; and

WHEREAS, per Public Contracting Rule 15.010, the Cat 914M Wheel Loader will be purchased from Caterpillar, Inc. under NJPA Contract #032515-CAT,

Now, Therefore, be it Resolved that City Council authorizes the City Manager to approve the purchase of a Cat 914M Wheel Loader as a replacement of the existing loader to be used by the Public Works Department.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Scott S. Stauffer, City Recorder

City Attorney

To: Mayor and City Council

Date: August 4, 2017 for Meeting August 15, 2017

Through: Ann Ober, City Manager

Reviewed: Charles Eaton, Engineering Director

From: Roderick Buen, Civil Engineer

Subject: **42nd Avenue Street Rehabilitation**

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to Sign a contract for the construction of 42nd Avenue Street Rehabilitation with Brown Contracting Inc. in the amount of \$949,380.00.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

At the **April 5, 2016, City Council Regular Session**, staff presented the Annual Street Surface Maintenance Program (SSMP) report which includes SE 42nd Avenue as the proposed 2017 project under the program as adopted by the council with the 2017-2022 CIP.

<https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-178>

BACKGROUND

The scope of the project is to rehabilitate the poor existing paving condition on SE 42nd Avenue from SE Franklin Street to SE Monroe Street as well as upgrading the existing ramps to meet ADA requirements.

The project went through a competitive bidding process per Chapter 30 of the City's Public Contracting Rules (PCR). One (1) bid was received by the city before the July 27th, 2017, 2:00 P.M. bid opening. The following table is a summarization of all bid amounts:

	Contractor	Bid Amount
1	Brown Contracting, Inc	\$949,380.00

The Engineer's Cost Estimate is in the amount of \$1,097,490.00.

BUDGET IMPACTS

This project is included within the FY 16-18 budget at \$1,400,000.00.

WORK LOAD IMPACTS

No additional impact anticipated since this project is scheduled for this fiscal year.

CONCURRENCE

Finance concurs with staff recommendation.

ALTERNATIVES

- Award the project as presented.

- Reject the bid in the public interest and direct staff to revise and rebid the project during a more favorable period.
- Reject the bid in the public Interest.

RECOMMENDATION

Staff is recommending award of 42nd Avenue Street Rehabilitation project to Brown Contracting, Inc. with a project authorization of \$1,100,000.00.

ATTACHMENTS

1. Resolution



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, APPROVING THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF THE 42ND AVENUE STREET RECONSTRUCTION PROJECT TO BROWN CONTRACTING, INC.

WHEREAS, the City of Milwaukie has identified the reconstruction of 42nd Avenue within the street surface maintenance program; and

WHEREAS, these improvements are contained within the 2016-2018 biannual budget; and

WHEREAS, a formal competitive bid process following Public Contract Rule 30 was completed; and

WHEREAS, Brown Contracting, Inc. was the lowest responsive and responsible bidder.

Now, Therefore, be it Resolved that the City of Milwaukie authorizes the City Manager to execute a contract with Brown Contracting, Inc. for the construction of the 42nd Avenue Street Reconstruction project, waive any irregularities, and authorize the Engineering Director to administer the project in accordance with the project specifications with a project authorization of \$1,100,000.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Scott Stauffer, City Recorder

City Attorney

To: Mayor and City Council
Through: Ann Ober, City Manager
Reviewed: Blanca Marston (as to form), Public Works Admin
From: Ronelle Sears, Water and Streets Supervisor, and
Peter Passarelli, Public Works Director

Date: August 15, 2017 RS meeting

Subject: **Well #2 Design Services**

ACTION REQUESTED

Authorize the City Manager to approve a professional services contract with Tetra Tech in a not to exceed amount of \$198,213 for professional services related to the relocation and construction of Well #2.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

June 7, 2016 Adoption of the biennial budget for 2017-18, including funding to rehabilitate and relocate Well #8.

ANALYSIS

The City of Milwaukie water production source is the Troutdale Gravels Aquifer. The City accesses this source water via a total of 8 wells owned by the City.

Every few years, wells need to undergo overhaul or replacement of the working components such as the motors, driveshaft, bearings and the pump itself. This work allows Public Works staff to have a window into the wells through video inspection. Well # 3 was overhauled in 2014 and the video log revealed that expected corrosion was present in the well casing but that in general the well was in good shape given it was installed in 1946. There was no recommendation for additional work on the casing, but noted that well 3 requires replacement in the next 10-15 years.

Funding in the amount of \$1,200,000 was made available in the 2017-2018 Biennial Budget to rehabilitate or relocate Well #8 which has been experiencing issues with excessive iron. However, an inspection of Well #2 identified serious defect in the casing on Well #2.

Well #2 was installed in 1936 and was overhauled in early 2016. Well #2 is part of the Well 2/3/5 well field and is expected to deliver a minimum of 380 gpm (about 10% of current total City capacity) based on past production. The well pumps directly into treatment plant 2/3/5 with its operation regulated by the water level in the Concrete Storage Reservoir. A video inspection revealed a split in the casing several feet long and is opening inward like a can with a tear. The casing is cracked with 6" gaps at a depth of 220' in the 300' deep well. It has been determined that based on the video log, the condition of the casing, the deterioration in general, and the overall loss of strength of the casing that an in-place repair would not be successful. Based on this evaluation it was determined by Public Works Staff that the condition of Well # 2 as well as the importance of Well # 2 as a source that repair/replacement of Well #2 should take precedence over the rehabilitation of Well #8. Currently, the well remains in use, but at a reduced pumping capacity.

The Public Works staff developed and solicited Requests for Qualifications(RFQ) in December of 2016.

The RFQ requested professional services related to addressing the cracked casing; providing viable options for the repair or replacement of the well and working with the City. The design phase requires that the selected firm be capable of all aspects of potable water well design including the well casings and screens, well pipe, well head, variable frequency drives, motor and line shaft turbine pump, electrical control systems and valves, integration with the City's existing well 2/3/5 well field, preparation of bid documents with bid ready plans and specifications, construction cost estimates, and answering questions during the bidding process.

For the construction phase the selected firm will provide testing and inspection assistance as the City performs the daily inspection/oversight work. Construction phase engineering services pricing will be negotiated after completion of the design phase.

Submittals were received from four Firms; Tetra Tech, MSA, RH2 and HHPR on February 1, 2017. The submittals were reviewed by a selection committee consisting of Gary Parkin, Chuck Eaton, Ronelle Sears and Don Simenson. Based on the submittal review two firms, Tetra Tech and MSA were selected for follow-on interviews. Interviews with the two firms occurred in early April, 2017. Both firm's submittals and interviews were evaluated and the selection team's recommendation was Tetra Tech.

After selection, Public Works staff and Tetra Tech firmed up the scope of work and negotiated a price for the design services which total \$198,213. Public Works is reviewing opportunities to reduce the overall cost of design by working with the Planning and Engineering Departments.

BUDGET IMPACTS

The cost for the design services is \$198,213. The current estimate for reconstruction of Well #2 is approximately \$750,000. There is little impact to operating costs as this well would replace the current well with similar operational and maintenance costs.

WORKLOAD IMPACTS

City staff requirements for the design phase of the project will include involvement with the selected consultant in various project meetings, as well as plan and construction document review.

COORDINATION, CONCURRENCE, OR DISSENT

Public Works Staff sought and received input from the Engineering Director during the RFQ evaluation phase.

STAFF RECOMMENDATION

Authorize the City Manager to approve a professional services contract with Tetra Tech in an amount not to exceed \$198,213 for professional services related to the relocation and construction of Well #2.

ALTERNATIVES

One alternative that was considered was to complete the design with in-house engineering staff, but it was determined that due to the specialized nature of water well design and construction, an engineering consulting firm with expertise in this area was the more appropriate course of action.

ATTACHMENTS

1. Resolution



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, authorizing the City Manager to approve a professional services contract with Tetra Tech in an amount not to exceed \$198,213 for professional services related to the relocation and construction of Well #2.

WHEREAS, Well #2 is an integral part of the City's Public Water Supply Source and is expected to deliver a minimum of 380 gpm (about 10% of current total City capacity) based on past production; and

WHEREAS, a recent video inspection revealed a split in the casing with 6" gaps at a depth of 220' in the 300' deep well and that it has been determined that based on the video log, that the condition of the casing, its deterioration in general and the overall loss of strength of the casing that an in-place repair would not be successful; and

WHEREAS, based on this evaluation it was determined by Public Works Staff that the condition of Well # 2, as well as the importance of Well # 2, that the repair/replacement of Well #2 should take precedence over the rehabilitation of Well #8; and

WHEREAS, the Public Works staff solicited Requests for Qualifications in December of 2016 and evaluated and selected an engineering consultant firm to provide design services for Well #2 in April 2017.

Now, Therefore, be it Resolved that City Council accepts the recommendation to authorize the City Manager to approve a professional services contract with Tetra Tech in an amount not to exceed \$198,213 for professional services related to the relocation and construction of Well #2.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

 Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
 Jordan Ramis PC

 Scott Stauffer, City Recorder

 City Attorney



To: Mayor Gamba and Milwaukie City Council

Through: Ann Ober, City Manager

From: Steve Bartol, Chief of Police



Date: July 27, 2017

Subject: OLCC Application – Le Tap – 11301 SE 21st, Milwaukie, OR 97222

Action Requested:

It is respectfully requested the Council approve the OLCC Application from Le Tap – 11301 SE 21st, Milwaukie, OR 97222

Background:

We have conducted a background investigation and find no reason to deny the request for liquor license.



**Regular Session
Agenda Item No.**

6

Other Business

 CITY OF MILWAUKIE
COUNCIL STAFF REPORT

To: Mayor and City Council
Through: Ann Ober, City Manager
Reviewed: Scott Stauffer, City Recorder
From: Mitch Nieman, Assistant to City Manager

Date: Friday, August 11, 2017

Subject: **Riverfront Task Force Dissolution**

ACTION REQUESTED

Adopt a resolution to dissolve the Riverfront Park Task Force.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

November 5, 1998 – Council adopted Ordinance 1848 to create the Riverfront Park Board (attached).

December 20, 2011 – Council adopted Ordinance 2042 and Resolution 105-2011, which amended the Milwaukie Municipal Code to remove language in Sections 2.10.010, 2.26.010, and 2.26.020 thereby eliminating the Riverfront Board, and created the Riverfront Park Task Force, respectively (attached).

February 21, 2017 – Council directed staff to initiate the dissolution of Riverfront Task Force.
<https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-111>

ANALYSIS

During its six-year tenure, Riverfront Task Force achieved many milestones to move Milwaukie Bay Park towards its final build out. Several include, but are not limited to:

- Assisted with securing Metro grants to construct Klein Point
- Raised \$20,000 through initiation of a capital campaign
- Assisted with Oregon Dept. of Transportation site access permit approvals for 99-E
- Provided technical assistance for Phase I and II construction
- Facilitated US Army Corps cut and fill permit approvals
- Provided technical assistance with Canada Goose mitigation

Several founding Members of the Task Force served for many years on the Riverfront Board, which laid the foundation for Phase I and II construction. Such efforts involved:

- Championed Council adoption of the Downtown Land Use and Framework Plan
- Assisted with acquiring property and clearing up site encumbrances
- Facilitated public engagement and adoption of the Master Plan
- Assisted with public opinion polling to determine desired park amenities

In August 2016, four Task Force Members submitted their resignations. Staff did not recruit for new members due to an anticipated dissolution in Fall 2016.

BUDGET IMPACTS

There are no impacts to the budget to dissolve the Task Force.

WORKLOAD IMPACTS

There are no impacts to staff workload to dissolve the Task Force.

COORDINATION AND CONCURRENCE

The Milwaukie Parks and Recreation Board concurs with the proposed dissolution.

STAFF RECOMMENDATION

Staff recommends that Council consider PARBs recommendation to dissolve the Riverfront Park Task Force.

ALTERNATIVES

1. Do not dissolve the Task Force and direct staff to solicit for four new members and reactivate the Task Force

ATTACHMENTS

1. Ordinance 1848
2. Ordinance 2042
3. Resolution 105-2011
4. Draft Resolution

ORDINANCE NO. 1848**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ADDING
MUNICIPAL CODE CHAPTER 2.26 – RIVERFRONT BOARD.**

WHEREAS, the City Council directs a Riverfront Board be created to act in an advisory capacity to the Council in matters regarding the redevelopment of the riverfront and downtown area; and

WHEREAS, the Milwaukie City Council establishes this Board and charges it with providing recommendations supporting the City Vision and Council Goals;

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS
FOLLOWS:**

Section 1: There is hereby added to the Municipal Code of Milwaukie Chapter 2.26 – Riverfront Board which is to read as follows:

2.26.010: Established -- Purpose

The Riverfront Board is established for the purpose of advising and making recommendations to the City Council and providing long-term continuity and short-term problem solving in the successful completion of the riverfront. The Board shall be responsible for, but is not limited to, the following activities:

- A. Serve in an advisory capacity to the City Council by following the Milwaukie Downtown and Riverfront Master Plan: Riverfront Element through its duration including consultant selection, scope of work specifications, plan development, implementation, and successful completion; and
- B. Provide leadership and act as liaison in the public involvement process in order to recommend the roles the City should or ought to pursue in attaining its vision of a well-designed community.

2.26.020: Membership -- Qualifications

The board shall consist of seven at-large members. These members are appointed by the council. One ex-officio member will be assigned from staff to provide technical and administrative support. Whenever possible, persons will be appointed who have demonstrated interest, experience, or expertise in some area of parks and greenspaces, recreation, housing, transportation, planning and urban design, commercial development, or related services.

Read for the first time on November 5, 1998, and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council on November 5, 1998.

Signed by the Mayor on November 5, 1998.

Carolyn Tomei
Carolyn Tomei, Mayor

ATTEST:

Pat DuVal
Pat DuVal, City Recorder

APPROVED AS TO FORM:

[Signature]
O'Donnell, Ramis, Crew, Corrigan & Bachrach

ORDINANCE NO. 2042**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
AMENDING THE MILWAUKIE MUNICIPAL CODE TO REMOVE LANGUAGE
REGARDING THE RIVERFRONT BOARD.**

WHEREAS, the Riverfront Board was appointed by City Council in 1998 "for the purpose of advising and making recommendations to the City Council and providing for long term continuity and short term problem solving in the successful completion of the Riverfront."; and

WHEREAS, the Board has made a great deal of progress toward the design and construction of Riverfront Park and would like to see the project through to completion; and

WHEREAS, City Council feels that the Board's scope of work would be best accomplished if the Board members were transitioned to Task Force ;

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS
FOLLOWS:**

Section 1. *Section 2.10.010, Applicability*, of the Milwaukie Municipal Code is amended to remove "I. Riverfront Board" from the list of City boards, commissions and committees (as shown on Attachment A).

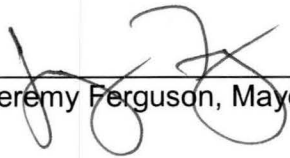
Section 2. *Section 2.26.010, Established-Purpose*, is deleted from the Milwaukie Municipal Code (as shown on the Attachment A)

Section 3. *Section 2.26.020, Membership-Qualifications*, is deleted from the Milwaukie Municipal Code (as shown on the Attachment A)

5-0 Read the first time on December 20, 2011, and moved to second reading by vote of the City Council.

Read the second time and adopted by the City Council on December 20, 2011.

Signed by the Mayor on 12/20/11



Jeremy Ferguson, Mayor

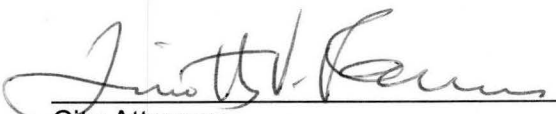
ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



Pat DuVal, City Recorder

Ordinance No. 2042 - Page 1



City Attorney

Attachment A

The following sections of code would be modified as shown below:

2.10.010 APPLICABILITY

This chapter applies to all City boards, commissions, and committees unless mandated otherwise by State statute or City ordinance, including but not limited to the following boards, commissions and committees:

- A. Budget Committee (ORS 294.336 and MMC 2.14, exclusive from monthly meetings);
- B. Center/Community Advisory Board (MMC 2.20 and IGA);
- C. Citizens Utility Advisory Board (MMC 2.11);
- D. Design and Landmarks Committee (MMC 2.18);
- E. Library Board (ORS 357.400 to 357.621 and MMC 2.28);
- F. Park and Recreation Board (MMC 2.12);
- G. Planning Commission (ORS 227.010—227.030 and MMC 2.16);
- H. Public Safety Advisory Committee (MMC 2.24); and
- ~~I. Riverfront Board (MMC 2.26); and~~
- ~~J. Milwaukie Arts Committee (MMC 2.17).~~

~~2.26.010 ESTABLISHED—PURPOSE~~

~~The Riverfront Board is established for the purpose of advising and making recommendations to the City Council and providing long-term continuity and short-term problem solving in the successful completion of the riverfront. The Board shall be responsible for, but is not limited to, the following activities:~~

- ~~A. Serve in an advisory capacity to the City Council by following the Milwaukie Downtown and Riverfront Master Plan, Riverfront Element, through its duration, including consultant selection, scope of work specifications, plan development, implementation, and successful completion; and~~
- ~~B. Provide leadership and act as liaison in the public involvement process in order to recommend the roles the City should or ought to pursue in attaining its vision of a well-designed community.~~

~~2.26.020 MEMBERSHIP—QUALIFICATIONS~~

~~The Board shall consist of seven (7) at-large members. These members are appointed by the Council. One ex-officio member will be assigned from staff to provide technical and administrative support. Whenever possible, persons will be appointed who have demonstrated interest, experience, or expertise in some area of parks and greenspaces, recreation, housing, transportation, planning and urban design, commercial development, or related services.~~

RESOLUTION NO. 105-2011**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
CREATING A RIVERFRONT TASK FORCE.**

WHEREAS, the Riverfront Board was appointed by City Council in 1998 "for the purpose of advising and making recommendations to the City Council and providing for long term continuity and short term problem solving in the successful completion of the Riverfront."; and

WHEREAS, the Board has made a great deal of progress toward the design and construction of Riverfront Park and would like to see the project through to completion; and

WHEREAS, City Council feels that the Board's scope of work would be best accomplished if the Board members were transitioned to Task Force, and

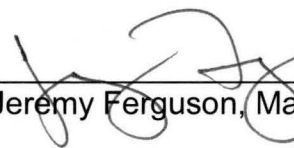
WHEREAS, the Board agrees that transitioning to a Task Force would benefit the work they have done to date;

NOW, THEREFORE, BE IT RESOLVED that the City Council:

- 1) Creates the Riverfront Task Force for the purpose of advising and making recommendations to the City Council and providing for long term continuity and short term problem solving in the successful completion of the Riverfront.
- 2) Appoints five members of the former Riverfront Board, namely Gary Klein, Dave Green, Jason Loomis, Roger Thompson and Mike Stacey, to fill the positions on the new Riverfront Task Force and directs that the Task Force continue to function with five member positions into the future.
- 3) Approves the use of the attached by-laws for the Riverfront Task Force, and
- 4) Designates that the Task Force will cease to function upon completion of construction of the 8.5-acre Riverfront Park unless Council chooses to extend or modify their scope of work.

Introduced and adopted by the City Council on December 20, 2011.

This resolution is effective on December 20, 2011.



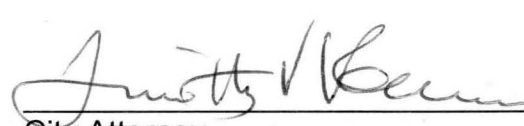
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



Pat DuVal, City Recorder



City Attorney



CITY OF MILWAUKIE

COUNCIL **RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
DISSOLVING THE RIVERFRONT PARK TASK FORCE.**

WHEREAS, the Riverfront Park Task Force was created by City Council on December 20, 2011, with the adoption of Resolution 105-2011; and

WHEREAS, the Task Force replaced the Riverfront Board and its purpose was to advise and make recommendations to City Council on completion of the riverfront; and

WHEREAS, during its tenure, the Task Force was instrumental in assisting staff with securing over \$3.5 million in grant funding to construct Phase I and II of the park, and launching a capital campaign to secure funding for future phases; and

WHEREAS, many of the founding Members of the Task Force were long-time Members of the Riverfront Board, which was formed in 1998; and

WHEREAS, the Riverfront Board contributed to the Task Force's accomplishments, and Parks Board's future accomplishments by initially engaging the community and City Council to remove encumbrances from the site and adopt the Downtown Riverfront Land Use and Framework and Master Plans.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the Riverfront Task Force is hereby dissolved and sincere appreciation is conveyed to the volunteers and staff who served on the Riverfront Task Force.

Introduced and adopted by the City Council on **August 15, 2017**.

This resolution is effective on **August 15, 2017**.

 Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

 Scott S. Stauffer, City Recorder

 City Attorney

 CITY OF MILWAUKIE
COUNCIL STAFF REPORT

To: Mayor and City Council
Through: Ann Ober, City Manager
Reviewed: Scott Stauffer, City Recorder
From: Mitch Nieman, Assistant to City Manager

Date: Friday, August 11, 2017

Subject: **Riverfront Park Renaming**

ACTION REQUESTED

Adopt Milwaukie Bay Park as the new name for Milwaukie Riverfront Park.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

November 19, 2003 – Council named the “Jefferson Street Boat Launch” to Milwaukie Riverfront Park.

February 21, 2017 – Council directed staff to initiate the renaming of Milwaukie Riverfront Park to Milwaukie Bay Park. <https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-111>

April 26, 2017 – Staff brought the renaming initiative before the Milwaukie Parks and Recreation Board (PARB) to vote to petition affected Neighborhood District Associations (NDAs) to change the name. PARB voted unanimously to approve the petition and solicit public input from seven NDAs instead of only the required two affected NDAs (Historic Milwaukie and Island Station) per the city’s naming/renaming policy. <https://www.milwaukieoregon.gov/bc-prb/parks-recreation-board-1>

May 2017 – On behalf of the PARB, staff sent a notice to seven NDAs to request that they open a 30-day public input period to solicit community feedback on the renaming petition and alternative renaming options for the renaming of Milwaukie Riverfront Park (attached).

June 2017 – Seven NDAs each opened a 30-day public comment period to solicit community input and feedback.

July 5, 2017 – Staff updated Council on the status of the renaming initiative in a Milwaukie Bay Park goal discussion. <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-208>

July 2017 – Seven NDAs each closed their 30-day public comment period. No public input, feedback, or alternative names were received by any NDA.

July 26, 2017 – PARB voted to recommend the renaming of Milwaukie Riverfront Park to Milwaukie Bay Park to Council for consideration of adoption because there was no public input, feedback, or alternative names received by any NDA (PARB draft minutes pending).

ANALYSIS

Resolution 33-2000 outlines the policy and procedures for naming and renaming facilities in the City of Milwaukie (attached).

Staff took the following steps to complete the renaming process, which complied with above policy:

- Council submitted proposed name to PARB
- PARB referred proposed name to appropriate NDA(s)
- NDA provides at least one opportunity for public comment
- PARB reviews all public comments and forwards no more than three names to Council
- Council considers PARBs recommendation and may accept the proposed name, or decide on an alternate name

BUDGET IMPACTS

Other than staff time, there is no cost to the general fund to rename the park. Materials and signs will need to be updated to reflect the new name.

WORKLOAD IMPACTS

Staff time will be required to update the name on materials and signs, and register the new name with state and federal agencies.

COORDINATION AND CONCURRENCE

PARB, North Clackamas Parks and Recreation District, and seven NDAs recommend the renaming of Milwaukie Riverfront Park to Milwaukie Bay Park.

STAFF RECOMMENDATION

Staff recommends that Council consider PARBs recommendation to rename Milwaukie Riverfront Park to Milwaukie Bay Park.

ALTERNATIVES

1. Keep the name Milwaukie Riverfront Park
2. Decide on an alternate name

ATTACHMENTS

1. Resolution 33-2000
2. NDA correspondence

RESOLUTION NO. 33-2000**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE CITY OF MILWAUKIE POLICY AND PROCEDURES FOR NAMING FACILITIES.**

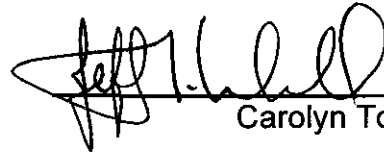
WHEREAS, the City of Milwaukie owns and may acquire additional facilities; and

WHEREAS, the City of Milwaukie has need to rename existing and name new facilities; and

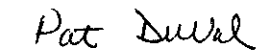
WHEREAS, the City has an interest in establishing systematic and consistent procedures for initiating and naming such facilities;

NOW, THEREFORE, BE IT RESOLVED by the Milwaukie City Council that the attached City of Milwaukie Policy and Procedures for Naming Facilities dated December 2000 is hereby adopted.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, this 21~~st~~ day of November 2000.


Carolyn Tomei, Mayor

ATTEST:


Pat DuVal, City Recorder

APPROVED AS TO FORM:


Rams, Crew, Corrigan & Bachrach, LLP

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City of Milwaukie Policy and Procedures For Naming Facilities

I. Purpose

It is a goal of the City of Milwaukie, herein after referred to as the CITY, to be seen as part of the fabric of the community. Stewardship of public parks, recreational facilities, environmental habitat and other assets as defined below for the greatest benefit of the CITY community over the long term is a primary value. Geographic, historic or names based upon distinguishing characteristics are the standard for this community.

At the same time, it is recognized that individuals and community organizations periodically wish to honor individuals, groups or events by naming facilities after them. The challenge is to accommodate this desire where warranted while still supporting the primary community values.

II. Objectives

The objective of this policy is to establish a systematic and consistent approach for the official naming of facilities that:

- Ensures that facilities are easily identifiable.
- Ensures that names given to facilities are consistent with the values and character of the neighborhood or area served.
- Encourages the dedication of lands, facilities, or donations by individuals and/or groups.
- Encourages public participation in the naming, renaming and dedication of facilities.

III. Definition

Facilities – includes all property assets under the CITY's ownership including buildings, structures, open spaces, public parks, recreational facilities, environmental habitat and land but does not include streets.

IV. Criteria

The policy of the CITY is to name facilities through an adopted process utilizing established criteria emphasizing community values and character, local history and geography and service to the community.

1. The CITY in determining the appropriateness of the naming designation should use the following categories:
 - a. Any person who has made significant contributions to the CITY or the community,
 - b. A person, group, place, or feature, particularly identified with the public land or facility or of historical or cultural significance,
 - c. Geographic location (neighborhood, streets, etc.) and

- d. Natural features or resources.
- 2. Where properties are jointly acquired and/or operated, the other agency shall be consulted and their consent received for the proposed name.
- 3. The process to name facilities should begin within six months after the CITY has acquired title to the land and/or formally accepted the dedication.
- 4. Conditions of property donation as agreed upon by the donor and the CITY shall be honored regarding the naming of the facility subject to these adopted policies.
- 5. Names that are similar to existing properties or facilities in the CITY system (or other systems in the Metro area) should not be used in order to minimize confusion.
- 6. The CITY reserves the right to change the name to maintain consistency with these policies.

V. Procedures

1. Naming of Facilities by Request of Private Party

- a. A request for the naming of a facility will be submitted in writing to the CITY Park and Recreation Board, herein after referred to as the PARB. The request should demonstrate how the proposed name is consistent with the criteria stated in this policy.
- b. Those submitting a naming request will be provided with a packet that includes: a cover letter, Naming Program criteria, policies and procedures and forms of recognition.
- c. The PARB will notify the relevant Neighborhood District Association, herein after referred to as the NDA, and other interested parties of the request.
- d. The PARB will utilize the following process to make its determination:
 - i. The PARB refers the request to the NDA or a special sub-committee if the facility is intended to service more than one NDA.
 - ii. The NDA or special sub-committee will offer at least one opportunity for public comment on the proposed naming. Further hearings and input shall be at the discretion of the PARB.
 - iii. The PARB will review the public input and recommendations received and will forward no more than three names to the City Council within 30 days for consideration.
 - iv. The City Council will consider the recommendation of the PARB within 60 days of its submittal. The City Council may accept the PARB's recommendation or decide on an alternative name for the facility under consideration.

2. Renaming of Facilities by Request of Private Party

Renaming of facilities carries with it a greater burden of process compared to initial naming. Tradition and continuity of name and community identification are important community values. Each application must meet the criteria stated in this policy, but meeting all criteria does not assure renaming.

- a. A request for the renaming of a facility shall be submitted in writing to the PARB. The request shall include the following information: (1) the proposed name change and the purpose of the change, and (2) how the proposed name is consistent with the criteria established.

If the proposal is to rename a facility after a person or persons, the application will describe the contributions to the CITY and community made by the person and why the specific naming proposal is an appropriate honor. Written documentation of approval by the person to be honored (or next of kin, as appropriate) is required as part of the proposal.

City staff will review the proposal for adherence to the stated criteria and authentication of statements relative to contributions in the case of an individual before forwarding it to the PARB. If the request is incomplete, staff will contact the applicant, in writing, and provide them with the opportunity to resubmit a revised request.

- b. The PARB will notify the relevant NDA and other interested parties of the request.
- c. The PARB will utilize the following process to make its determination:
 - i. The PARB will ask the NDA or a special sub-committee, if the facility is intended to service more than one NDA, to consider the request.
 - ii. The NDA or sub-committee will offer at least one opportunity for public comment on the proposed naming. Further hearings and input shall be at the discretion of the NDA or sub-committee.
 - iii. The NDA or sub-committee will review the public input and recommendations received and will forward no more than three names to the PARB within 30 days for consideration.
 - iv. The PARB will consider the recommendation of the NDA or sub-committee within 60 days of its submittal. The PARB may accept the NDA or sub-committee's recommendation or propose an alternative name for facility under consideration.
 - v. The PARB will vote to recommend the name for the facility to the City Council.
 - vi. The City Council will vote to select the name for the facility or decide on an alternative name for the facility under consideration.

3. Naming or Renaming Facilities Initiated by the City

The PARB shall initiate the naming or renaming process whenever necessary and may initiate the process at any other time. When initiated by the PARB, the procedures shall be followed for naming as set out in Section V. 1. c & d and for renaming as set out in Section V. 2.

4. Reconsideration

- a. Any individual or group may submit a written request to reconsider a naming or renaming decision to the City Manager. Written requests shall include: (1) name and address of person(s) requesting reconsideration; (2) a statement of specific grounds for appeal; and (3) a specific naming recommendation for the subject facility.
- b. The PARB will review the request to reconsider and make a recommendation to the City Council at the next regularly scheduled meeting. The person/s requesting the reconsideration will be given an opportunity to state their reasons for opposition before the City Council.
- c. The City Council will make a final determination within 45 days and inform the appellant of its decision.

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May 5, 2017

Jeff Davis
Chair
Ardenwald-Johnson Creek Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Davis,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

PARB respectfully requests that you open the subject hearing at your May 2017 meeting, and close it at your June 2017 meeting. PARBs goal is to receive NDA comments by the end of June, so they can be ready to submit a name to City Council for consideration of approval at a meeting in July 2017.

Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Ardenwald-Johson Creek NDA Leadership



May 5, 2017

Vince Alvarez
Chair
Lake Road Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Alvarez,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

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Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Lake Road NDA Leadership



May 5, 2017

Zac Perry
Chair
Linwood Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Perry,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

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Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Linwood NDA Leadership



May 5, 2017

Bryan Trotter
Chair
Lewelling Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Trotter,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

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Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Lewelling NDA Leadership



May 5, 2017

Milo Denham
Chair
Island Station Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Denham,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

PARB respectfully requests that you open the subject hearing at your May 2017 meeting, and close it at your June 2017 meeting. PARBs goal is to receive NDA comments by the end of June, so they can be ready to submit a name to City Council for consideration of approval at a meeting in July 2017.

Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Island Station NDA Leadership



May 5, 2017

Ray Bryan
Chair
Historic Milwaukie Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Bryan,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

PARB respectfully requests that you open the subject hearing at your May 2017 meeting, and close it at your June 2017 meeting. PARBs goal is to receive NDA comments by the end of June, so they can be ready to submit a name to City Council for consideration of approval at a meeting in July 2017.

Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Historic Milwaukie NDA Leadership



May 5, 2017

David Aschenbrenner
Chair
Hector Campbell Neighborhood District Association
Milwaukie, OR 97222

RE: Petition to Change the Name of Riverfront Park

Mr. Aschenbrenner,

On April 26, 2017, the Milwaukie Parks and Recreation Board (PARB) voted to petition a name change for Riverfront Park to "Milwaukie Bay Park."

The city's policy for naming facilities (Resolution 33-2000) requires any naming or renaming petition be sent to the affected NDA for public input. After receiving the petition, the NDA shall hold a 30-day public hearing to receive community input and comments. After the 30-day public hearing period closes, the NDA shall return all comments to the PARB via niemanm@milwaukieoregon.gov or by mailing to the address below.

PARB respectfully requests that you open the subject hearing at your May 2017 meeting, and close it at your June 2017 meeting. PARBs goal is to receive NDA comments by the end of June, so they can be ready to submit a name to City Council for consideration of approval at a meeting in July 2017.

Please call me at (503) 786-7573 or e-mail niemanm@milwaukieoregon.gov, if you have any questions.

In partnership,

Mitch Nieman
Asst. to City Manager/Liaison to PARB

cc: Hector Campbell NDA Leadership



CITY OF MILWAUKIE

COUNCIL STAFF REPORT

To: Mayor and City Council
Through: Ann Ober, City Manager
Reviewed: Ann Ober, City Manager
From: Alma Flores, Community Development Director
Leila Aman, Development Manager

Date: July 27 2017 for August 15, 2017

Subject: **Request for Qualifications (RFQ) Selection Process and Disposition Discussion for Coho Point at Kellogg Creek located at 11100 SE McLoughlin Blvd**

ACTION REQUESTED

Approve the Resolution authorizing the City Manager to enter into an Exclusive Negotiating Agreement with Black Rock LLC (Black Rock) for the purpose of establishing terms for a development and disposition agreement for the Coho Point at Kellogg Creek property.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

City Council held two key discussions on [May 17, 2016](#) and [September 20, 2016](#) to provide direction to staff on the development and disposition of the Coho Point and Kellogg Creek site (the Property). City Council also provided guidance on evaluation criteria for the solicitation process.

On [April 4, 2017](#) City Council adopted Resolution No. 38-2017 to dispose of the 11100 SE McLoughlin Blvd for development by the City Manager. This action declared the Property surplus and authorized the community development director to proceed with a development solicitation for the Property and to negotiate for the sale or transfer of the Property.

The City of Milwaukie issued an RFQ on April 21, 2017 for the Property and received 9 submittals by the May 25, 2017 deadline. The community development director formed a Stakeholder Advisory Group (SAG) to review and score proposals based on the criteria set forth in the RFQ. SAG participants were selected based on both technical expertise and direct experience with the review of RFQs and Request for Proposals (RFPs). The SAG consisted of the following people:

Alma Flores- Community Development Director, City of Milwaukie

Patrick McLaughlin- Senior Development Project Manager, Metro

Haley Fish- Finance Director, City of Milwaukie

Jerry Johnson- Principal, Johnson Economics.

Mitch Nieman- Assistant to the City Manager, City of Milwaukie

Catherine Grubowski-Johnson- Economic Development Manager, Clackamas County Business and Economic Development Services division.

On June 7, 2017, the SAG met to discuss and rank proposals, and selected four teams for interviews. On June 22, 2017, the SAG interviewed the top four teams. After the interview

process the SAG recommended that the City of Milwaukie move forward with exclusive negotiations with a single development team, Black Rock.

The purpose of the Exclusive Negotiating Agreement is to provide certainty to the City and the developer that for a specified period the parties will negotiate exclusively on the development project. The ENA will include a specified timeframe for exclusive negotiations. An ENA also includes terms that describes the City's expectations for the site, enables the developer to conduct due diligence on the site, and may also include a termination clause that will allow for either party to terminate negotiations if, for example, one or the other party fails to act in good faith. The intent of the ENA is to serve as the basis for negotiating the terms of a Development Agreement for the property. If an agreement is not reached after the ENA term the City is under no obligation to continue negotiations with the selected development partner and reserves the right to engage with other development partners for the site.

ANALYSIS

At several work sessions in 2016, Council provided direction to the Community Development Director on the disposition of and the criteria to include in the Request for Qualifications (RFQ) for the Property. The SAG evaluated proposals based on the criteria in the RFQ. (See Attachment 1) The SAG recommended that the City move forward with a single development team, Black Rock, based on the review of qualifications relative to the evaluation criteria, and the outcome of the interview process. The SAG recommendation to move forward with a single entity was based on Black Rock's exemplary response to City goals for the site. The RFQ stated that the City may elect to move forward with a select a single team and enter directly into negotiations based solely on their RFQ responses.

BUDGET IMPACTS

There are no-known budgetary impacts at this time.

WORKLOAD IMPACTS

The Community Development Director has prioritized her work plan to serve as project manager on the disposition and development of this site and a development manager has been recently hired to assist the city with this project, the Harrison and Main Street site, the library bond project, the high school redevelopment, and private development projects occurring throughout the city.

COORDINATION, CONCURRENCE, OR DISSENT

The City Manager concurs with this process and recommendation.

STAFF RECOMMENDATION

The project manager and the RFQ Selection Advisory Group highly recommends City Council authorize the City Manager to enter into an exclusive negotiating agreement with Black Rock for the purpose of establishing terms for a development agreement for the Coho Point at Kellogg Creek property.

ALTERNATIVES

Staff and the SAG do not recommend an alternative outcome.

ATTACHMENTS

1. Request for Qualifications (RFQ) for Coho Point at Kellogg Creek
2. Resolution



CITY OF MILWAUKIE REQUEST FOR QUALIFICATIONS—COHO POINT AT KELLOGG CREEK



RFQ #04-21-17-1 Request for Qualifications for Downtown Mixed-Use Development at Coho Point at Kellogg Creek—11100 SE McLoughlin, Milwaukie, OR)

The City of Milwaukie (City) is seeking qualifications from interested parties to form a public private partnership for the development of Coho Point at Kellogg Creek. The site is located at the corner of 99E (McLoughlin Blvd) and SE Washington Street in downtown Milwaukie. The City is interested in a timely development of this opportunity site. The RFQ process will move into the RFP process to the top teams.

This Request for Qualifications (RFQ) **issued on April 21, 2017** describes the City's intentions for this project. Information about the selection process, downtown Milwaukie and submission requirements are also included. Responses must be received at the City of Milwaukie Community Development Department, 6101 SE Johnson Creek Blvd., Milwaukie, Oregon 97206 no later than **Thursday, May 25, 2017 at 3 PM**. Proposals received after the 3 PM deadline will not be considered and will be returned unopened to the proposer(s).

Responses should be addressed to

Project Manager:

**Community Development Director
City of Milwaukie
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206**

The City will conduct a pre-submittal meeting and site tour on **Thursday, April 27, 2017 at 3:30 p.m. to 5:30 p.m.** at Milwaukie City Hall Council Chambers located at 10722 SE Main St. Milwaukie, OR 97222. The City will provide a project overview, discuss short-term and long-term goals, expectations, potential partnership arrangements, and conduct a tour of the site. Copies of background studies and reports will also be available for viewing at the pre-submittal meeting. This meeting and tour are not mandatory, but prospective respondents to this RFQ are strongly encouraged to attend. Following the meeting, the City will reserve the right to amend the RFQ, if for instance new information comes to light at the pre-submittal meeting. After the RFQs responses are short-listed, interviews may occur between June 12-16, 2017. The top three development teams may be invited to submit for the full Request for Proposal (RFP) for this site. A project map is attached at the end.



CITY OF MILWAUKIE INTRODUCTION

Milwaukie (pop. 21,000), a city strategically located within Clackamas County, Oregon. Milwaukie, located six miles south of downtown Portland, is economically linked with the greater Portland metropolitan area. It offers glorious views of the Willamette River and a small-town feel with easy access to the region's urban center, recreational activities, and services.

Named one of the best places to raise a family, Milwaukie provides a clean environment, quality transportation, schools, and health care. The Sunday Farmers Market, First Friday events, neighborhood concerts in the park and the on-going poetry and artist series are just a few of the many community and cultural offerings available throughout the city. Recreational opportunities in the city include boating, kayaking, and paddle boarding on the Willamette River. With more than 100 parks in Clackamas County there is easy access to many fishing, hiking, and mountain biking opportunities.

The City is comprised of nine neighborhood districts-- seven primarily in residential areas (the Historic Milwaukie Neighborhood includes the downtown business district) and two industrial districts. With more than 1,500 companies, Milwaukie is also home to several of Oregon's largest and most iconic employers including Dark Horse Comics, Bob's Red Mill, Blount International Inc., and Precision Castparts (a Fortune 500 company), to name a few. The City also has a community vision underway—*Milwaukie All Aboard: Milwaukie's Community Vision*-- to help articulate the community's vision for how it should grow in the next 20 years. This vision will be followed by a 5-year action plan and will help inform a 2035 comprehensive plan update covering housing, economic development, and other elements of the city's 20-year growth outlook. These are exciting times for the City of Milwaukie and we want to bring forward a well thought out development project that will serve as a gateway to our downtown.

Market Demographics

In 2016, Milwaukie is home to over 8,800 households with an average household size of 2.30. Median household incomes are projected to be over \$56,000. According to the city's 2016 housing needs analysis, there is a need for additional housing options that meet the ownership ranges of \$90k to \$240k and rental rates between \$400-\$900 a month¹. A 2016 downtown retail market analysis indicates that there is a need for a small-medium sized grocery store/food store, clothing stores, restaurants, and electronics (sales leakage of \$18m or about 69,000 square feet) in our downtown.

¹ Johnson, Jerry. *City of Milwaukie--Housing and Residential Land Needs Assessment: 20 year Housing Need 2016-2036*. August 2016. p. 23.

DOWNTOWN MILWAUKIE

Metro's 2040 Growth Concept Plan designates Downtown Milwaukie as a "regional center," concentrating public and private investment in new housing, office space, and neighborhood-supporting commercial development. Downtown Milwaukie's designation as a regional center is due to its role in providing high quality jobs, connections to the regional light rail system, and goals to become an active, vibrant core that serves the surrounding community. Downtown Milwaukie is the historic and commercial heart of the community. With a traditional urban form and retail frontage along Main Street, Milwaukie has an interest in retaining its small town charm and character even as the city plans for expanded growth in the downtown and other areas. Major employers within a two-mile radius of the downtown include Dark Horse Comics, City Hall, the Oregon Liquor Control Commission, MODA Health, Alpine Food Distributing, Inc., Dave's Killer Bread, Blount International, Inc., Providence Hospital, Advantis Credit Union headquarters, and many more.

Downtown Milwaukie has been planning for future development in the downtown through the Moving Milwaukie Forward planning effort and offers the benefit of the new Portland-Milwaukie Light Rail transit line that opened in September 2015. The new Orange Line extends the region's light rail network by 7.3 miles from Portland State University to the South Waterfront, through SE Portland, and into Milwaukie and north Clackamas County. The current daily ridership at the Milwaukie/Main Street station is at 700 on weekdays and over 400 on weekends.

Downtown is the civic center for the community and is the heart of premier events such as First Friday, the Farmer's Market, and concerts at the library. It is well connected through transportation by offering a regional transit hub, including the MAX light rail system and eight bus lines. The Downtown also includes Riverfront Park, an 8.5 acre park on the Willamette River, and the Ledding Library, which will soon undergo an expansion after a 2016 bond levy passed.

Worth noting is the Milwaukie Farmer's Market and the plans to relocate to the southern edge of the downtown and adjacent to this opportunity site. The Farmer's Market, which hosts over 75 vendors, and was recently named one of the best Sunday farmers markets in Oregon runs from May to October on Sundays. It will use Main Street and the Adams Street Connector as their new space starting in May 2018.



1. DEVELOPMENT OFFERING—SELECTION PROCESS

Upon receiving responses to this RFQ, the City may, in their sole discretion, elect to proceed in any of the following or possibly other directions.

- The City may establish a Selection Advisory Group (SAG) to review team qualifications and provide input to City staff (Staff). This group may consist of staff and/or other stakeholder groups. The City may also retain a consultant(s) to assist in the evaluation of the responses.
- The City may select a small number of teams for a second-round process. This second-round might entail interviews, a formal Request for Proposals (RFP) process, or some other means of selection from a short list of developer teams.
- The City may opt to select a single team for one or more of the development opportunities, without going to a second-round process. Under this scenario, the City would enter directly into negotiations with the preferred single team based solely on the RFQ responses.
- If the City and a selected team are unable to successfully negotiate terms, the City reserves the right to begin new negotiations with other respondents that meet the minimum proposal requirements.

SCHEDULE

Release of RFQ	Friday, April 21, 2017
Pre-Submittal Meeting (optional)	Thursday, April 27, 2017, 3:30--5:30 p.m.
RFQ Submittals Due	Thursday, May 25, 2017 3:00 p.m.
Preliminary Decision/Short List Identified	June 11, 2017 (tentative)
Developer Interviews (if applicable)	June 12-16, 2017 (tentative)
Top RFQ responses will be asked to submit a full RFP	by June 21, 2017 (tentative)
Request for Proposals (RFP due)	July 27, 2017 (tentative)
RFP Design Open House	August 3, 2017 (tentative)
Winning Project selected by Council	August city council session

2. SUBMISSION REQUIREMENTS

ORIGINAL MATERIAL, 12 PAGES OR LESS (NOT INCLUDING RESUMES, LETTERS OF REFERENCE, EXAMPLES OF OTHER PROJECTS (maximum of 10 pages for these items)).

1. Project Vision (30 points)

- a. Describe the development team and why the team is interested in the project.
- b. Please indicate your initial approach to completing the project. Include your team's thoughts on how you would leverage the site's strengths and mitigate its disadvantages. Please also indicate what use or uses the team is considering for the site.
- c. Provide information on how the development team would respond to Section 3—Project Goals.

2. Team Qualifications and Development Experience (40 points)

- a. Identify development team members and roles, and describe qualifications. Provide resumes for key team members.
- b. Describe the team's experience in the development of high quality, successful urban infill projects of the scale anticipated for the development of this site. Include images of similar projects, if available.
- c. Describe the team's sustainable/green development project expertise and knowledge of LEED, passive building design, the use of alternative building materials, etc.
- d. Describe the team's previous experience working with public sector partners, and the types of public- private partnerships formed.

3. Financial Capacity (30 points)

- a. Explain how the team has the necessary financial standing, capacity, and resources to deliver the project.
- b. Please discuss likely sources and uses of funds. Provide as much information as is warranted, such as certified financial statements, to make the case that the team possesses the financing capacity to develop the project site. (Any financial documents submitted to the City should be placed in a separate envelope and clearly marked as confidential.)
- c. Describe any expectations for public assistance at this stage. The response should include general statements relating to financial participation, assistance with permits, and other potential public funding sources.
- d. Provide a preliminary estimated time frame to carry out the project(s) and describe if you envision a phased approach.

Confidentiality: Please indicate by clearly marking or highlighting information the team would like to be kept confidential.

3. PROJECT GOALS

The city would like to see a 5-story mixed-use building that maximizes the use of the land and provides a gateway to the downtown along McLoughlin Blvd. (99E). The city recently passed new, streamlined zoning under the Moving Forward Milwaukie Plan that allows for a base of 3 floors with a bonus of a 4th floor, if housing is provided, and a fifth-floor bonus if a green building or lodging is provided.

The city is interested in projects that meet multiple objectives, including, but not limited to:

- A signature project that leverages the spectacular views of the Willamette River and serves as a gateway to the downtown;
- A project that maximizes the city's desire to help revitalize downtown—several complimentary projects in the vicinity include the South Downtown Plaza, the Sunday Farmer's market, a city-owned food cart pod adjacent to the light rail platform, and the Adams Street Connector;
- A project with up to four floors of housing or other uses over retail;
- A project that considers housing options that meet a variety of incomes (review the current Housing Needs Analysis for income thresholds that the city has by way of unmet needs);
- A project that considers sustainable and equitable transit oriented development (TOD) elements that maximizes the strategic location of the site and access to public transportation and encourages a livable and walkable place;
- A project that uses "green" construction (e.g. Net Zero or Passive, solar, green roofs) for future generations to enjoy;
- A project that is a good environmental neighbor to Kellogg Creek;
- A project that will minimize the impact of construction on the Milwaukie Farmers Market at its 2018 location
- Utility connections should reflect the needs of the users (High speed internet, etc.)

SITE AND ZONING

SITE FEATURES OF THE PROPERTY (NOT COMPREHENSIVE)

- The property is 0.81 acres
- Publicly-owned (City)
- Downtown Mixed Use zoning (adjacent to Open Space)—development criteria below
- Highly visible location on McLoughlin Blvd/Highway 99E
- Near Adams Street Connector, Dogwood Park and future South Downtown Plaza
- Opportunity for Willamette River views over Riverfront Park
- Frontages on Main St, Washington St and McLoughlin Blvd, some topographical challenges
- Adjacent to natural area that includes Kellogg Lake
- Recent Phase I and Phase II Environmental assessments have been completed and are available for review.
- A recent Natural Resources Assessment has been completed and available for review.
- A recent Market Analysis, housing needs analysis, and economic opportunities analysis have been completed and available for review.

ZONING SUMMARY²

FOLLOW THIS LINK TO **TITLE 19 OF ZONING CODE; SPECIFICALLY, CHAPTER 19.300 BASE ZONE: SECTION 19.304 DOWNTOWN ZONES**

19.304.1 Purpose

The downtown zones are Downtown Mixed Use Zone DMU and Open Space Zone OS. The zones are shown on Figure 19.304-1. These zones implement the Town Center and Public land use designations in the Milwaukie Comprehensive Plan. The downtown zones implement the Downtown and Riverfront Land Use Framework Plan and Milwaukie Comprehensive Plan. The downtown and riverfront area is envisioned as the focus of the community. Two zones are designated to distinguish between areas intended for public open space and those intended for downtown development. Specific use,

² The full Milwaukie Municipal Code is available at: <http://www.qcode.us/codes/milwaukie/>

development, and design standards are adopted for the downtown zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

Downtown Mixed Use (DMU)

The Downtown Mixed Use Zone provides for a wide range of uses—including retail, office, commercial, and residential—that will bring visitors to the downtown to live, work, shop, dine, and recreate. The desired character for this zone is a pedestrian-friendly, vibrant urban center with a prominent main street and connections to the riverfront. Desired character also includes buildings that are oriented toward the pedestrian, with primary entrances located along the street.

DEVELOPMENT STANDARDS (SECTION MMC 19.304.4)

DEVELOPMENT STANDARDS

Type	Minimum	Maximum	MMC
Floor Area Ratio (FAR)	0.5:1-1:1	4:1	19.304.5.A
Height ³	25 ft.	35-65 ft.	19.304.5.B
Setbacks	0 ft.	10-20 ft.	19.304.5.D
Density			19.304.5.J
Rowhouses and live/work	10 units/acre	none	
Stand-alone multifamily	30 units/acre	none	
Mixed use	none	none	

BONUSES

Type	Provision	Bonus	MMC
Height (up to 2 available)			19.304.5.B.3
Residential	1 story/25% floor area residential use	1 story/12 ft. of building height	
Lodging	1 story/25% floor area lodging use	1 story/12 ft. of building height	
Green Building	ANSI-approved green building certification	1 story/12 ft. of building height	
Floor Area Ratio (FAR)	1 sq. ft. structured parking	0.5 sq. ft. floor area	19.611.4

³ Height is measured as defined in MMC 19.202.2.B. This is noted due to the elevation differences on the site between SE Main Street and SE McLoughlin Blvd. Proposers are encouraged to review this section.

DESIGN STANDARDS

Type	MMC
Site design standards	19.504
Building design standards	19.505
Downtown site and building design	19.508



OFF-STREET PARKING (MMC 19.304.5.G)

- All nonresidential uses are exempt from off -street parking requirements.
- Residential parking: minimum 1 space/dwelling unit, maximum 2 spaces/dwelling unit (MMC 19.605.1)
- Surface parking lots must be at least 50 feet from Main Street right of way.
- Off street parking may not be located between a building and the street-facing lot line.
- No curb cuts on Main Street.
- ✱ American with Disabilities Act (ADA) parking will be required at the level of 1 per 25 spaces per the Oregon Structural Codes.

TREES (MMC 16.32)

- The large trees on-site are outside Habitat Conservation Area; removal is not subject to MMC 19.402.
- The large trees are located on public property and removal is subject to the tree cutting provisions in MMC 16.32. If the property is privately-owned, no regulations would apply.

PREVIOUS STUDIES AND RELEVANT REPORTS

<http://www.milwaukieoregon.gov/communitydevelopment/opportunity-sites>

- 2016 Downtown Retail Market Analysis
- Moving Forward Milwaukie: Downtown
- South Downtown Plaza—Adams Street Connector
- Public Area Requirements
- Downtown Development Review Code
- Brownfields—Phase 1 and Phase 2 for the Cash Spot
- Natural Resource Assessment for the Cash Spot
- Willamette Greenway Overlay (MMC 19.401)

- Urban Renewal Fact Sheet
- Economic Opportunities Analysis
- Target Industry Report
- Transportation Systems Plan—review the section for a pedestrian/bicycle lane on this site

POTENTIAL INCENTIVES — VISIT

WWW.MILWAUKIEOREGON.GOV/ECONOMICDEVELOPMENT

The following are financial incentives (either directly controlled by the city or by others) that are potentially available as part of this project. The city's willingness to consider incentives will be based on the degree of responsiveness of a proposal to the submission requirements and project goals and the city's determination that any city subsidy is necessary to make the project financially feasible.

- Enterprise Zone
- New Market Tax Credits
- EB5 program
- Vertical Housing Tax Zone (in process)
- Discounted Land Sale Price or ground lease rate
- Metro's Transit Oriented Development (TOD) program grants
- State Business Oregon Incentives that may apply:
<http://www.oregon4biz.com/dev/www/BOR/Oregon-Business/Tax-Incentives/>

SATELLITE IMAGES OF SITE







CITY OF MILWAUKIE

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT WITH BLACK ROCK, LLC FOR THE COHO POINT AT KELLOGG CREEK PROPERTY.

WHEREAS, on April 4, 2017 City Council adopted 38-2017 authorizing the community development director to proceed with a development solicitation for the Coho Point at Kellogg Creek Property and to negotiate for the sale or transfer of the Property; and

WHEREAS, the City of Milwaukie issued a Request for Qualifications (RFQ) for the purpose of identifying a development partner for the Coho Point at Kellogg Creek Property; and

WHEREAS, the Coho Point at Kellogg Creek RFQ stated that the City could enter directly into negotiations with a preferred single team based solely on the RFQ responses; and

WHEREAS, the Stakeholder Advisory Group recommended that the City initiate an Exclusive Negotiating Agreement (ENA) with Black Rock, LLC.

Now, Therefore, be it Resolved that the City Council authorizes the City Manager to enter into an Exclusive Negotiating Agreement with Black Rock, LLC for the purpose of establishing terms for a development agreement that is consistent with the objectives and criteria stated in the RFQ for the Coho Point at Kellogg Creek property.

Introduced and adopted by the City Council on August 15, 2017.

This resolution is effective immediately.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Scott Stauffer, City Recorder

City Attorney

Stauffer, Scott

From: Matt at Mountain Soles <mtnsoles@hotmail.com>
Sent: Tuesday, August 15, 2017 6:33 PM
To: _City Council
Subject: Coho Point Development

Dear City Council,

I understand that you are/have authorized the City Manager to enter into a contract on the redevelopment of the Coho Point. After reading the packet for tonight's Council meeting I must ask why did the Stakeholder Advisory Group for the Coho redevelopment site have no members of the public or residents of Milwaukie on it? How is it possible that we have a group of people determining what to do with a publicly owned property that has no Citizens or Council members on it?

This selection process does not look like it has been nearly as transparent or open to the public as previous projects in Milwaukie. I recall the last attempt to redevelop the Farmers Market site, the DLC and/or the Planning Commission had a large role in selecting the developer. Also, when the contract was awarded for the consulting group that worked on the Monroe Concept Plan, several residents, including the Mayor were on the committee. The end product was very good and if it were not for the Mayor and Greg Baartz-Bowman we would have likely ended up with a different consulting firm on that project and a different result.

I realize that you are trying to work hard and fast to get development going in this town before the next recession hits, but please do the right thing and become more inclusive at the outset of these projects, utilizing residents who live here, and will have to live with the end results of the coming developments.
More balance please.

Thank you,

Matt Menely
Mountain Soles & Outdoor Threads
Repairs for life's adventures since 1979
503.236.0785
www.mountainsoles.com

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 CITY OF MILWAUKIE
COUNCIL STAFF REPORT

To: Mayor and City Council

Date: August 4, 2017 for August 15, 2017
Meeting

Through: Ann Ober, City Manager

Reviewed: Charles Eaton, Engineering Director

From: Citizen Utility Advisory Board

Subject: **Citizen Utility Advisory Board Bylaws**

ACTION REQUESTED

Adopt a resolution accepting the Citizen Utility Boards (CUAB) Bylaws.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

The CUAB presented the draft bylaws and work plan at the City Council study session on May 9, 2017, <https://www.milwaukieoregon.gov/citycouncil/city-council-study-session-44>. City Council identified three areas they would like the CUAB to review and revise.

Article III, Item 1: eliminating a specified time and day of the week to allow for more flexibility in the board's meeting day.

Article III, Item 3: Require a board member be responsible for preparing minutes and record keeping.

Article III, Item 4: Require 7 days posting of board agenda's, yet allow for more flexibility in packets as determined by the board.

ANALYSIS

Staff prepared amended bylaws in accordance with council direction for adoption by CUAB at the August 2, 2017 CUAB meeting. CUAB discussed the proposed revisions but chose not to adopt the revisions. CUAB then directed staff to present the original bylaws presented at the May 9th study session to City Council for approval.

BUDGET IMPACTS

None

WORKLOAD IMPACTS

The council proposal would have transferred the preparation of minutes and record keeping responsibility to a board member instead of staff.

COORDINATION, CONCURRENCE, OR DISSENT

Type what other agencies, City departments and staff are involved with the issue and if they concur or disagree here

STAFF RECOMMENDATION

None

ALTERNATIVES

Council could approve the bylaws as presented by CUAB or approve the bylaws with modifications.

ATTACHMENTS

1. Current bylaws
2. Bylaws revised in accordance with May 9th study session
3. Proposed bylaws
4. Proposed bylaws "Clean copy"
5. Resolution

Milwaukie Citizens Utility Advisory Board (CUAB)

BYLAWS

Approved by the Milwaukie City Council on _____

Adopted by the Citizens Utility Advisory Board, 4-0 (April 2, 2008)

ARTICLE I: MEMBERS AND VOTING PROCEDURES

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2. A majority of the Board may recommend to the City Council that a member be removed from the Board by the City Council.
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4. A quorum shall be a minimum of three members. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.
5. All members who are present at Board meetings, including the Chairperson and Vice-Chairperson, are allotted one vote each on all motions.
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ARTICLE II: CHAIRPERSON AND VICE-CHAIRPERSON DUTIES/MOTIONS

1. The Board shall elect a Chairperson and a Vice-Chairperson for year long appointments. Elections shall be held yearly in April.
2. In the event that an officer cannot complete the specified term, an emergency election shall be held for the completion of the term.
3. The Chairperson shall preserve the order and decorum of the meeting; direct discussion and comment to relevant issues; establish and enforce time limits for discussion and comment as appropriate; prevent attacks on personalities; and encourage citizen input.

4. The Chairperson, or the Vice-Chairperson if the Chairperson is absent, shall preside over the meetings.

ARTICLE III: MEETINGS AND PUBLIC HEARINGS

1. Regular meetings shall be held at 6:00 p.m. on the first Wednesday of each month. The time and date of the meeting may be changed by a majority vote of Board.
2. The public shall be notified of all Board meetings by the City's general notification procedures.
3. The Engineering Director or his/her designee shall be responsible for preparing the Minutes for each meeting and keeping records of the attendance.
4. The Engineering Director or his/her designee shall be responsible for mailing the Agenda and all meeting materials to members and interested members of the public at least seven (7) days before the next scheduled meeting.
5. Special Meetings may be called at the request of the Chairperson or a majority of the Board. The Engineering Director shall set a special meeting on such request unless good cause exists for delaying until the next regularly scheduled meeting. Good cause may include such factors as staff availability, meeting room availability, and budgetary considerations.
6. Executive Sessions may be held consistent with City Council Meeting Provisions, Section 2.04.090 of the City of Milwaukie Code and applicable state law

ARTICLE IV: BYLAWS/ CHANGES

1. Bylaws may be amended, repealed or altered by a majority of the entire Board, subject to approval by the City Council.

Milwaukie Citizens Utility Advisory Board (CUAB)

BYLAWS

Approved by the Milwaukie City Council on _____

Adopted by the Citizens Utility Advisory Board, ~~3-0 (May 3, 2017)~~

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ARTICLE III: MEETINGS AND PUBLIC HEARINGS

1. Regular meetings shall be held at ~~7:00 p.m. on the first Wednesday at a time and day~~ of each month. ~~The time and date of the meeting may be changed~~ as determined by a majority vote of Board.
2. The public shall be notified of all Board meetings by the City's general notification procedures.
3. The ~~Engineering Director or his/her designee shall~~ Board shall designate a member to be responsible for preparing the Minutes for each meeting and keeping records of the attendance.
4. The Engineering Director or his/her designee shall be responsible for mailing the Agenda 7 days in advance of meetings. ~~and a~~ All meeting materials will be delivered to members and interested members of the public 24 hours before the ~~next~~ scheduled meeting.
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CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
ACCEPTING THE CITIZEN UTILITY ADVISORY BOARD BYLAWS.**

WHEREAS, Milwaukie Municipal Code 2.11 establishes the Citizen Utility Advisory Board (CUAB); and

WHEREAS, Milwaukie municipal code 2.10.050.A states that the City Council shall accept board, commission and committee bylaws and adopt them by resolution; and

WHEREAS, the Citizen Utility Advisory Board has submitted proposed bylaws for consideration of the City Council for acceptance.

Now, Therefore, be it Resolved that the City Council hereby accepts the Citizen Utility Advisory Board's bylaws attached hereto as Exhibit A.

Introduced and adopted by the City Council on August 15, 2017.

This resolution is effective on immediately.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Scott S. Stauffer, City Recorder

City Attorney

 CITY OF MILWAUKIE
COUNCIL **RESOLUTION No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
CALLING ON THE OREGON LEGISLATURE TO CREATE AN EQUITABLE,
COMPREHENSIVE, AFFORDABLE, HIGH QUALITY, PUBLICLY FUNDED HEALTH
CARE SYSTEM SERVING EVERYONE IN OREGON.**

WHEREAS, this nation established a vision for its citizens to have certain rights, including “Life, Liberty, and the pursuit of Happiness”; and

WHEREAS, achieving the goal of living a healthy and productive life, in line with the vision of “Life, Liberty, and the pursuit of Happiness”, can be severely impaired for individuals and families without the ability to access quality health care for the prevention and treatment of disease or injury; and

WHEREAS, individuals and families are negatively affected when their health concerns impact their productivity at work, potentially endangering their income and work stability, and therefore putting individuals and families at increased risk for financial vulnerability, bankruptcy, and homelessness; and

WHEREAS, communities, businesses, and the economy of the state of Oregon are impacted by the health of its citizens and their families. When all members of a community have access to universal health care, costs to businesses and government employers are reduced through decreased employee absenteeism, decreased cost of insurance coverage. Administrative expenses, and costs to health care providers and hospitals in the form of lost compensation are also diminished; and

WHEREAS, the United States is the only industrialized, free-market nation on earth that does not have a form of universal healthcare coverage for its citizens; and

WHEREAS, a universal health care system ensures an individual’s right to choose their health care provider and exercise control over their health care decisions; and

WHEREAS, the state of Oregon has set a precedent of striving to achieve improved health care for its citizens, evidenced by previous expansions within the Medicaid system and the recent passage of Oregon Senate Bill 558 (SB558), the COVER ALL KIDS legislation, ensuring health insurance coverage for ALL children in the state; and

WHEREAS, the RAND Report, commissioned by the Oregon Health Authority, confirmed that universal health care coverage in Oregon is indeed achievable and financially viable, and confirms reduced health industry costs now created by multiple insurance and billing structures; and

WHEREAS, the state of Oregon now has the unique opportunity to be a vanguard for the future of healthcare in this country by being one of the first states to pass legislation ensuring that all of Oregon’s residents are supported and protected through universal health care coverage.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MILWAUKIE, AS FOLLOWS:

The City Council of the City of Milwaukie urges Governor Brown and the Oregon legislature, in the 2019 session, to create an equitable, comprehensive, affordable, high quality, publicly funded, universal health care system serving everyone in Oregon via a single payer system. The system should be transparent and accountable, involve meaningful public participation, and be affordable to families, businesses, and society.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Scott S. Stauffer, City Recorder

City Attorney

FACT SHEET TO ACCOMPANY THE CITY OF MILWAUKIE UNIVERSAL HEALTH CARE RESOLUTION**The following information is from:**

White, C., Elbner, C., Liu, J., Price, C., Leibowitz, N., Morley, G., Smith, J., Edlund, T., and Meyer, J. (2017). *A comprehensive assessment of four options for financing health care delivery in Oregon*. Santa Monica, Ca: RAND Corporation.

- White, et al. (2017) reported that a single payer health care system, covering all citizens within the state of Oregon, could be achieved at roughly the current annual status quo per-person costs for health care for individuals and employers, with minimal out of pocket health care costs and a complete elimination of health insurance premium costs (p. xiii).
- Almost half of the residents of Oregon receive employer sponsored health coverage, and between the years of 2010-2015, many of these individuals and families were adversely affected by an average deductible increase during that time span of approximately 40% (p. ix).
- Under a Single payer plan, individuals and families with income levels under 250% of the federal poverty level would have 100% Essential Health Benefit coverage, all others would, on average, have 96% of expenses covered. This universal coverage could be achieved through a combination of current pooling of already designated federal and state fund sources, an increase in income tax revenues, and the implementation of a 6.5% employer payroll tax for employers with at least 20 employees (p. ix).
- A single payer plan could “significantly reduce out of pocket premiums for health care and financial barriers to accessing care, particularly for low income Oregonians” (p. xii).
- It is estimated that in 2020, \$2.8 billion dollars, or 8.2% of total state health care expenditures, will go to financing administrative activities in regards to the health care system, under the status quo (p. xiv). It is projected that under a single payer system, approximately \$600 million dollars could be saved annually by reducing/eliminating the administrative activities surrounding health care in the private, state, and federal government sectors (p. xv), this is approximately a 25% decrease (p. 36).
- “A single payer option with aggressive payment negotiation would insure all Oregonians without necessarily increasing total health system costs” (p. xviii).
- Under the Affordable Care Act (ACA), the number of uninsured Oregonians dropped to 5.3% in 2015 from 14.6% in 2011 (p. 1).
- As of 2015, employers sponsored premiums of individual coverage in Oregon average \$5,822 annually. Single person coverage deductible expenses rose by 40% between the years 2010-2015 (p. 2).
- As of 2009, 10-15% of premium payments went to insurers administrative costs (p. 3).
- A little over one million Oregonians were enrolled in Medicaid or CHIP in 2016. This accounts for a 63% increase since the 2014 state expansion of Medicaid eligibility under the ACA (p. 6). This is approximately 25% of Oregon’s population (p. 75).
- Oregon employers would spend approximately the same amount in the proposed new payroll tax as is currently spent on employee health benefits (p. 10).
- A single payer plan would streamline health care related administrative issues: there would be a single database, one administering agency, a single source for funding, equitable benefits for all citizens, and there would be the elimination of “the need for coordination across insurance sources” (p. 11).
- Of individuals who previously obtained health care coverage under an OHP expansion, there was a 24% increase in individuals reporting that their health, overall, was good, very good, or

excellent. There was a 21% decrease in the likelihood of being in collections over medical bills, and a 20% decrease in the amount of money owed in medical collections (p 31).

- Currently, share of income percentages for health care are significantly higher for lower income households than would be found under a Single payer system (p. 40).
- Employers could benefit from a single payer system. Between 2006-2016, an increase of 58% for employer sponsored health insurance premiums occurred on a national level (p. 44).

The following information is from healthcare.oregon.gov/Documents/AHCA-report.pdf:

- “The AHCA would have direct financial effects on low-income working families, middle class families purchasing individual coverage, older adults, people with chronic illness, and the individuals with disabilities.”
- It is estimated that 465,000 Oregonians, currently insured via Medicaid or under individual/group insurance plans, will lose coverage between the years 2018-2023 under the proposed American Health Care Act.
- Approximately 654,000 Oregonians have benefitted from protections within the ACA to not allow exclusion from health insurance or higher premiums based on their pre-existing conditions.
- Oregon’s Medicaid expansion, authorized under the ACA, added 400,000 Oregonians who had previously been unable to obtain health insurance. OHP covers 4 in 10 residents living in rural areas within Oregon, and one in four Oregon residents total.
- The AHCA will not only affect Oregon individuals and families, it will have direct negative impacts on our economy. It is estimated that \$2.6 billion dollars in Federal funding will be lost, and that cost burden will be shifted to the state within the next 6 years. \$500 million will be lost in federal funding that is directly related to health care costs.
- The current Medicaid system in Oregon has kept the growth rate for health care costs at a very reasonable 3.4%. This was achieved as part of a 2012 agreement to keep annual costs below the national 5.4% rate. If the AHCA passes, federal funds going to the states would be based on fiscal year 2016 costs. Oregon was able to save \$1.4 billion dollars in Medicaid costs in FY 2016, which means future federal funding will be reduced by \$1.4 billion—Oregon will be penalized for their previous fiscal responsibility. It is projected that between 2017-2019, under the current system, \$600 million will be saved at the state level due to cost saving measures.
- Under the ACA, Oregon’s economy benefited from the addition of over 23,000 health care related employment opportunities.
- The CBO estimates that 7 million individuals across the nation are at risk of losing employer-sponsored health coverage by 2026, if the AHCA passes.
- The percentage of uncompensated care in rural Oregon hospitals went from 7.07% in 2013 to 2.93% in 2015. This translates to dropping from \$1.3 billion annually to \$315 million within those years. Imagine the further cost savings under a single-payer plan!
- Medicaid in Oregon is currently funded from both federal and state coffers, at the rate of 2/3 of funds coming from federal sources.
- It is estimated that if the AHCA passes, 42,000 jobs will be lost in Oregon, not just within the health care field, but also within such sectors as the service and construction industries.

The following information is from amjmed.org/under-aca-medical-bankruptcy-continues/:

- In 2009, it was estimated that 62.1% of bankruptcies in America were caused or exacerbated by health care costs, up from about 8% in 1981.

- Out of pocket medical costs for uninsured bankrupt families averaged over \$26,000, while insured bankrupt families averaged over \$17,000.
- Of the patients interviewed in the study cited in this article, 37.9% of them had lost a job or had to quit their job due to health issues.

The following is from www.cdc.gov/pcd/issues/2016/150503.htm:

- Researchers looked at the annual cost of lost work production, across the United States, due to two diseases (diabetes and hypertension) and three risk factors (obesity, physical inactivity, and smoking) and found that each disease or risk factor accounts for an estimated \$2 billion annual cost in lost work productivity due to absenteeism alone. This is not accounting for the actual health care costs associated with these risk factors and diseases.